



SISTERS ON PILGRIMAGE

DIRECTED BY: MUALLIMA FARZANAH ADAM

HAJJ

morning 2018



1. What does Hajj mean to you?

2. Describe your feelings in 3 words when you discovered you were going on Hajj 1439 insha Allah.

3. What are your expectations from yourself on return? (Min 3, Max 5)

4. What are your fears and concerns:

- a) Before you leave
- b) Enroute
- c) In Makkah
- d) In Madinah
- e) In Aziziya
- d) Day 1
- f) Day 2
- g) Day 3
- h) On return

5. Priorities with regards daily worship:

- Salaah
- Quran
- Taubah
- Daily azhkar
- Wazaif
- Hifdh
- Qada
- Tawaf
- Salaat & Salaam
- Ziyarah
- Nafl (which/when)
- Individual Dua
- Umrah
- Socialising
- Shopping
- Chores
- Khidmah
- Health
- Reading/Writing



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Activity 1

Attendee Name: _____

Facilitated by Muallima Farzanah Adam

- The Hajj of a woman is Jihad
- Emotional and Physiological challenges
- Fiqh (See ADDENDUM A)
- The gaze
- Comparison



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Session 2 | The fiqh of Hajj

Facilitated by Muallima Farzanah Adam

ADDENDUM A

CONDENSED FROM A WOMAN'S GUIDE TO HAJJ

By Muhammad Alshareef

Chapter One: Ihram

Should a woman shower upon entering the Miqat

It is equally part of the Sunnah for a woman to shower before Ihram just as it is for a man. In fact, in the case of women who at the time may be experiencing Hayd or Nifas, there is specific proof that she should take this shower.

Imam Muslim relates in his Sahih that from Ayshah - May Allah be pleased with her - that she said, "Asma' bint `Umayy had Nifas after giving birth to Muhammad ibn Abu Bakr. This happened at Ash-Shajarah (a place near the Miqat outside of Madinah). So Allah's Messenger (peace be upon him) directed that she should bathe and begin the Tahlil."

In this regard of showering before Ihram, the menstruating woman is in the same ruling as one who finds herself in Nifas. The Prophet of Allah (peace be upon him) said, "If the Menstruating woman and the one in Nifas enter the time they should bathe and enter into Ihram and complete all the rituals (like others) except Tawaf of the (Ka'bah)."

Showering

Abu Dawud and others narrated that Ibn Abbas asked Abu Ayyub Al-Ansari, "While he was in a state of Ihram, how did the Prophet of Allah (peace be upon him) wash his head?" Abu Ayyub (who was bathing at the time) replied by asking someone to pour water on his head. He then rubbed his head with his hand, going back and forth. He then said, "In such a way I saw the Prophet (peace be upon him) wash."

This narration is used by the scholars as proof that it is permissible for a male or female in Ihram to take a bath and pour water over their head and to pass their hand through their hair.

If the bath is needed because of sexual impurity (Janabah), then the scholars agree that it is permissible. Even if the bath is desired to just cool off or for other non-essential reasons, the majority of scholars say that it is permissible without any reservations.

Imam Ash-Shafi'i said - after narrating this incident about Abu Ayyub Al-Ansari, "This is the opinion that we hold. A Muhrim may take a bath whether it is due to sexual impurity or for other reasons. One may wash their head and soak their body with water."

However, some scholars have recommended that a woman should not shower unless it is necessary. This is because she is in Ihram and busy with the actions of Hajj. In fact, to bathe during Ihram is simply an issue of permissibility, but there is no one that says that it is recommended (Mustahabb). To some scholars, it is more recommended to remain dusty and disheveled.

Imam An-Nawawi said, "It is more desirable that the pilgrim remain dusty and disheveled. The proof of this is the statement of Allah [Then let them end their untidiness...] (22/29) and the statement of the Prophet of Allah (peace be upon him): [Verily Allah boasts the people of Arafah to the inhabitants of the heavens, saying, 'Look at my slaves - they have come to me disheveled and dusty.']"



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Combing one's hair during Ihram

It is Makruh for a woman (or man) in Ihram to aggressively comb their hair - causing excessive amounts of hair to fall out - or to brush un-necessarily. This is because doing so may lead to hair being cut - which is one of the forbidden acts when someone is in Ihram.

As for brushing lightly or scratching one's head, this is permissible. There is a famous saying in the books of Fiqh where they suggest that someone should scratch with the insides of their hands - i.e. softly.

Imam An-Nawawi said, "As for a Muhrim (someone in the state of Ihram), I do not know of any opinion that says he is not permitted to scratch his head. Rather, it is something permissible."

There is a phenomenon amongst some women which works as such: They tie up their head very tightly and do not un-tie it until their Hajj is over. When they are in need of making Wudu', instead of wiping their hair they do wipe over their Hijab instead.

Sheikh Salah As-Sawi, one of the directors at the American Open University, commented that doing this is an example of someone placing a hardship upon themselves, a hardship that the Shari'ah does not require. He said that when a person combs their hair lightly or scratches, the person is not held responsible for the dead hairs that naturally come out.

The color of clothes a woman in Ihram may wear

It is permissible for the woman to wear any women's clothes she pleases which are not attractive or resemble the clothes of men, or are tight-fitting showing the dimensions of her limbs, or transparent - not concealing what is underneath, or too short - not covering her legs or hands, but instead should be abundant, thick and wide.

Ibn al-Mundhir said, as quoted in al-Mughni:

"There is consensus among the scholars that the woman in Ihram can wear shirts, vests, baggy trousers, Khimars, and leather socks."

She does not have to wear a particular color (such as green) and can instead wear any colors she desires from among those specific to women (such as dark red, green or black). It is also permissible for her to change these colors if she wishes.

Wearing Jewelry in Ihram

It is permissible for women to wear jewelry while she is in a state of Ihram. It was narrated in Al-Bukhari, that Umm Al-Mu'minin Ayshah used to not consider anything wrong with a Muhrimah wearing jewelry.

In Al-Mughni by Ibn Qudamah, he says, "I heard from Ahmad, who heard from Nafi' that the women (from the household) of Ibn Umar used to wear jewelry while they were in a state of Ihram. Ibn Umar (seeing this) would not forbid them."

Thus, it is apparent from the Madhhab of Imam Ahmad that it is permissible for a woman in Ihram to wear jewelry.

This permissibility of wearing jewelry is also the opinion of the Hanafiyyah and Malikiyyah. They quote as their proof - in addition to the above - the fact that wearing jewelry is an act of adornment and a woman in Hajj is not forbidden from adorning herself.



Covering the face

A woman in Hajj should not cover her face or wear gloves, just as a male should not cover his head. There is no difference of opinion on this issue, based on the clear statement of the Prophet of Allah (peace be upon him), "The Muhrimah (a female in Ihram) should not cover her face, nor should she wear gloves."

Having said that, it is permissible for her to cover her face if she fears the gaze of non-Mahram men upon her.

It was narrated that Umm Al-Mu'minin Ayshah said, "The riders would pass by us while we were with the Prophet of Allah (peace be upon him) in a state of Ihram. When one of them would ride next to us, we would take our Jilbab and cover (coming down with the cloth from our heads) our face. When the rider would pass, we would uncover once again."

Scholars have used this Hadith to show that if a woman is in need of covering her face then it is permissible for her to do so.

However, the Shafi'iyah set a condition to this covering saying that the Niqab should not touch the women's face. This was also the opinion of Al-Qadi from the Hanabilah.

In actuality, this condition does not have overall agreement from the scholars. Ibn Qudamah said in regards to this condition, "I have not found this condition to be from (Imam) Ahmad, nor is it from the Hadith. In fact, reality contradicts this condition. For verily, the cloth that covers over a women's face, rarely does it remain un-touching to her skin. Had this been a condition (that it should not touch her face) the Prophet (peace be upon him) - would have explained it."

Refuting the claims of those who claimed that the condition of the women's Niqab in Hajj is that it not touch her face, Imam Ash-Shawkani used similar arguments as that of Imam Ibn Qudamah.

And Allah knows best.

Touching one's spouse intimately or non-intimately

If a male in Ihram touches his wife with desire, or kisses her, then he would be obliged to pay the Fidyah (penalty) - and the same would go for women. This is the opinion of the Hanabilah.

More so, the male is between two situations after touching his wife: either he releases some fluid or not. If he does not release anything, then the penalty for him is that he must slaughter a sheep. If he does release something, then he must slaughter a camel.

As for the women in this situation, then perhaps her situation is that of the males. Ibn Qudamah said, "The women is just like the male in this respect."

The Hanafiyyah and Shafi'iyah said: It is Wajib for someone who kisses or touches his or her spouse with desire that they pay the Fidyah - which is the slaughtering of a sheep. If they cannot find or afford the sheep, then they should alternatively either feed the poor or fast.

From what the Hanafiyyah and Shafi'iyah are saying, it seems that the same applies to women if they kiss or touch their husband with desire.



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They also cite Qiyas. They compare a woman traveling alone to that of a woman who converts to Islam in the land of the Kuffar. Or a Muslim woman who may have escaped from the clutches of the disbelievers - in both cases there is unanimous agreement that she is permitted to travel alone. So should the case be in her traveling alone to perform Hajj.

The Hanafiyyah and the Hanabilah reject these proofs with the authentic Ahadith that forbade a woman from traveling alone. It is true, they say, that the Hadith of Adi is authentic, but it was a statement of the Prophet (peace be upon him) that did not amount to him sanctioning the act. Rather, it was an account to Adi of what would happen in the future.

As Imam Ash-Shawkani said, it is more befitting to take the Hadith to mean that such a thing would happen - not that it is permissible. This is so there would be no contradiction between it and the Ahadith that forbid women from traveling alone.

Should a woman raise her voice when saying the Talbiyah?

The Talbiyah is a chant that someone performing Hajj recites throughout his or her Hajj rites. It includes the words: [I am here, O Allah, I am here. I am here, there is no god but you, I am here. Verily, all praise and all blessings and all sovereignty belong to you. There is no god but you.]

It is a Sunnah to not only say this, but to chant it loudly.

As for women, they should not raise their voice above what is needed for them to hear themselves.

Ibn Al-Mundhir - may Allah have mercy upon him - said, "There is a consensus amongst scholars that the Sunnah regarding women is that they do not have to raise their voice when chanting the Talbiyah. All she is required to do is to raise her voice enough so that she can hear herself. This is the opinion of Ata', Malik, Al-Awza'i, Ash-Shafi'i, and it is also the opinion of the Hanabilah and the Hanafis. They feared that with her raising her voice, a fitnah make occur. For the same reason, it is not Sunnah for her to give the Adhan for Salah, nor the Iqamah."

Sheikh Al-Albani - in his book Manasik Al-Hajj wal Umrah - said:

In regards to the Talbiyah the ruling for the women is that of the men - as the two preceding Hadith are general. They too should raise their voices as long, however, as there is no fear of fitnah.

Ayshah used to raise her voice until the men could hear her. Abu Atiyyah said: "I heard Ayshah saying, 'Verily I know how was the Talbiyah of the prophet of Allah. I heard her after that saying: LabbaikAllahumma Labbaika..."

And Qasim ibn Muhammad said: Mu'awiyah went out at night and heard the voice of someone making Talbiyah, so he said: 'Who is that?' It was said: "Ayshah, Mother of the Believers, making 'Umrah from at-Tan'im." So that was mentioned to Ayshah so she said: "If he had asked me I would have told him."

What both men and woman perform equally in Tawaf

Firstly, the desirability of making Du'a, remembering Allah, or reciting Quran.

Secondly, the desirability of touching the black stone or kissing it if its possible, on condition that a woman does not crowd the men in doing so. The same ruling applies to the Yemeni corner.

Thirdly, the permissibility of speaking if its necessary or with befitting speech.



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Fourthly, the undesirability of eating or holding the urge to urinate, or pass wind, or having a strong desire for food and other things of this nature.

The Difference in Tawaf between men and women

In general, the method of performing Tawaf is the same for men and women. The agreed upon rule is that what is mentioned concerning the men applies to the women so long as there is no specific proof which shows that her ruling is different.

To review the aspects of Tawaf that apply to both men and women, one may refer to the many Fiqh books on this subject. Our concern here is to illustrate the differences which are as follows:

Women should not jog in Tawaf

At the beginning of Tawaf, it is Sunnah for the men to jog, known in Arabic as Ramal, the first three circumambulations around the Ka'bah. The woman is not required to do this.

Ibn Al-Mundhir said, "There is consensus amongst the scholars that the woman should not jog in Tawaf. Instead, she should do the Tawaf walking."

Al-Idhteaba' - uncovering the right shoulder

It is logically clear that a woman should not uncover her right shoulder when performing Tawaf. Imam An-Nawawi said, "Uncovering the right shoulder is Sunnah for the men and not permissible for the women. There is no difference of opinion on this matter."

Nearing the Ka'bah

It is recommended that the women should not crowd themselves near the wall of the Ka'bah, crushing themselves in to the men. Instead, she should perform her Tawaf on the outer circles of the Tawaf, away from the crowd.

This is recommended as a protection for her. However, if she is performing Tawaf at a time when the crowd is light, she may draw as near as she can to the Ka'bah.

This ruling is based on an incident that happened in which Umm Salamah - the wife of Allah's Messenger, (peace be upon him) complained of a sickness. He instructed her to perform the Tawaf riding on a camel, behind the people.

Ibn Hajar, explaining this Hadith, said, "He instructed her such because the Sunnah for the women is that they should distance themselves from the men in Tawaf."

Performing Tawaf at Night

The scholars mentioned that it is desirable for a woman to delay her Tawaf until night if she arrives in Mecca during the day. The reason, they say, is that this would be more protective for her and others since the crowd would be lighter at that time.

This ruling is illustrated by that which Imam al-Bukhari narrated from `Ata' who said; Ayshah -May Allah be pleased with her- use to perform Tawaf away from the men, not crowding them. A woman said to her, "Let us go, O Umm Al-Mu'minin, to touch the black stone." Ayshah declined until night came and then they went for Tawaf.



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Whenever they wished to perform Tawaf they stood there until the crowd of men would be on their way out.

However, if she feels that she may be nearing her monthly cycle, it is better that she performs the Tawaf as soon as she can so that she does not miss it.

Crowding to kiss the black stone

It is desirable that a woman should not crowd with the men to kiss the black stone. Instead, she should wave to it with her hand just like the person who cannot reach it.

Imam An-Nawawi said, "Our Ulama' have said that it is not desirable for a woman to kiss the black stone, nor to touch it, except at those times when the Tawaf area is light or empty, like during the night or at other times. This is because in her crowding the men it would bring hardship upon herself and hardship upon the men."

The difference in Sa'i between men and women

The method of performing Sa'i, in general, is the same for men and women. However, there are basic differences in the etiquettes of Sa'i between men and women.

Firstly: A woman in her Menses

As is explained in the books of Fiqh, it is not a must that a person be clean from sexual impurity (Janabah) or, for women, her monthly period in order to perform Sa'i. However this issue needs a little clarification.

According to the Hanafi school of thought, it is only permissible for a woman in sexual impurity or her menses to perform the Sa'i if she has already performed the Tawaf in a state of purity. Meaning, if her menses started after the Tawaf then it is ok to continue with the Sa'i.

However, scholars have disagreed with the Hanafi school of thought on this issue for the following reason:

It was narrated by Bukhari that Umm Al-Mu'minin Ayshah said, "I arrived in Mecca and at the time I was in my monthly period. I had not performed the Tawaf of the (Ka'bah), nor had I performed the (Sa'i) between Safa and Marwah." She continues, "I mentioned this to the Prophet of Allah (peace be upon him) and he said to me, 'Do as the Hajji (Hajj pilgrim) does other than performing Tawaf of the (Ka'bah) until you are clean.'"

In explaining this Hadith, Ibn Hajar said:

As for the acceptability of performing Sa'i before Tawaf, scholars of Hadith considered it permissible, citing as their proof the Hadith of Usamah ibn Shuraik in which a man came to the Prophet (peace be upon him) and said, "I performed Sa'i before performing Tawaf." The Prophet (peace be upon him) replied, "Perform Tawaf, there is no difficulty."

Thus, a woman in her menses may perform all the rites of Hajj other than the Tawaf. And she may perform the Sa'i before her Tawaf in accordance with the Hadith of Usamah ibn Shuraik and her Sa'i with be correct and acceptable.

Those that forbade the woman from performing Sa'i until she first becomes clean of her menses, placed a condition on her has no basis. In reality, the proof we have mentioned rejects this opinion.



Ramal, jogging, between Safa and Marwah

Imam Ash-Shafi'i said, "A woman should not jog between Safa and Marwah, nor should she uncover her arm like a man. This is because she seeks coming closer to Allah by covering and protecting herself and jogging and uncovering would contradict that."

However, according to the scholars of the Shafi'i school of thought, there are two opinions on this issue.

The first, which is the opinion of the majority, is that she should not jog in the jogging area. Instead she should walk all through out the distance from Mount Safa to Mount Marwah - whether it be daytime or nighttime when no one is watching. This is because she is 'Awrah and her fiqh is based on covering and protecting herself.

The second, which is held by a minority, is that if she is performing Sa'i at night and there is no one watching, it is desirable for her to jog in the area of jogging.

This is also the opinion of the Hanbali school of thought. Ibn Qudamah stated in Al-Mughni: A woman should not jog in Tawaf or Sa'i.

Women leaving Muzdalifah early

Spending the night in Muzdalifah on the eve of the 10th of Dhul-Hijjah is just as much a part of Hajj for the women as it is for the men. When she leaves the plain of Arafah, she does as the male would do in Muzdalifah - that is, she should join her Maghrib and Isha' at the time of Isha, remember Allah and spend the night there.

Some scholars have noted that it is permissible for women who fear the crowd of Muzdalifah (and the predicted crowd at the Jamarat the next day) to leave early from Muzdalifah before Fajr. The default Sunnah however is that a person should wait until after Fajr - after the sun has come up bright - to move on to Mina.

Following is an example of the many Ahadith that were narrated regarding this issue.

Firstly: Bukhari narrated from Ayshah who said, "(Umm Al-Mu'minin) Sawdah sought permission from Allah's Messenger (peace be upon him) to leave Muzdalifah before him (i.e. before Fajr) and before the crush of the people, because she was heavy. He (peace be upon him) gave her permission."

Secondly: Muslim narrated from Umm Habibah that the Prophet (peace be upon him) sent her from Muzdalifah during the night (before Fajr).

Thirdly: Muslim narrated from Ibn Abbas who said, "Allah's Messenger (peace be upon him) sent me with the weak folk from Muzdalifah during the night (before Fajr)."

Fourthly: Muslim narrated that Ibn Umar used to take the weak of his family to Muzdalifah. They would stand at al-Mash'ar al-Haram in Muzdalifah at night, remembering Allah. Then before the Imam would move out (from Muzdalifah) they would leave before him. Some of them would arrive in Mina before Fajr time (i.e. at Fajr time); others would arrive after that. When they would arrive, they would throw their Jamarat. Ibn Umar would comment, "Allah's Messenger (peace be upon him) granted permission to these people."

Concerning the issue of leaving Muzdalifah halfway through the night, Imam Ash-Shafi'i said:



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Chapter Two: Male / Female differences in Ritual Worship

What is the ruling of women performing Hajj without a Mahram?

There are five general conditions before Hajj becomes compulsory upon someone. They are that the person is Muslim, has reached the age of discernment, is of full mental capacity and is not a slave. Additionally, they must be capable of completing the journey to Hajj, both physically and financially.

Both males and females share these conditions. However, the Muslim woman has an extra condition before she can be held accountable for not performing Hajj and that is the accompaniment of a Mahram.

The statements of the scholars regarding this matter:

The Shafi'iyah state that Hajj is not obligatory upon a woman until she finds a male Mahram relative or a husband or a group of trusted women. If she finds any of the previous three, it is obligatory upon her to perform Hajj. If she cannot find one of the three, she is not obliged to perform the Hajj.

The condition that the Shafi'iyah hold for a woman to perform Hajj is that she must be able to perform the journey securely. This security can be found when a husband or a Mahram or a group of trusted women accompanies her.

In the popular opinion of the Madhhab, it is permissible for a woman to perform Hajj if she finds only one trusted women to take the journey with. More so, they say it is permissible for her to travel alone if she shall be safe and she fears nothing on the road. This is how they understand the ahadith which forbid a woman from traveling alone.

However, if she has already performed her first obligatory Hajj and this is a voluntary performance, then she is not permitted to travel alone - she must be accompanied by a husband or a Mahram. In this case, traveling with a group of trusted women is not permitted; this is the more correct position in the Madhhab.

The opinion of the Malikiyyah is similar to that of the Shafi'iyah in that they allow a woman who does not find a Mahram or husband to travel with a secure group. They add that this secure group may be a group of men, a group of women, or a group made up of men and women.

In the Madhhab of Imam Ahmad, Hajj is not obligatory upon a woman who does not find a Mahram or husband to travel with her. In fact, Imam Ahmad specifically commented on this issue, as Abu Dawud states: I said to Ahmad, "A wealthy woman who does not find a Mahram to travel with her to perform Hajj, is Hajj Wajib upon her?" He said, "No."

They cited as proof for what the opinion that they took a selection of Ahadith which we shall mention shortly.

The Hanafiyyah held an opinion similar to that of the Hanabilah. They said that Hajj is not compulsory upon a woman who does not find a Mahram or husband to travel with. In addition to the following Ahadith, they said that for her to perform Hajj without male assistance would expose her to situations that may very well harm her.

A Discussion of the Dalil

[The woman should not travel except accompanied by a Mahram]

Hadith Adi in which the Prophet (peace be upon him) said to him "if your life is prolonged, you shall live to see Adh-Dha'inah (a woman) traveling from Al-Hirah (in Iraq) all the way until she performs Tawaf of the Ka'bah, fearing no one except Allah."



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The Sunnah is that women and weak folk should move out of Muzdalifah before Fajr - after half the night has passed, so that they may throw their Jamarat before the crowd arrives. This is based on the Hadith of Ayshah in which she said, "(Umm Al-Mu'minin) Sawdah sought permission from Allah's Messenger (peace be upon him) to leave Muzdalifah before him (i.e. before Fajr) and before the crush of the people, because she was heavy. He (peace be upon him) gave her permission."

This is also the opinion of the Hanbali school of thought. In Al-Mughni we read:

It is all right for women and weak folk to leave Muzdalifah early. From those who would allow their women and weak family members to precede them were Abdur-Rahman ibn 'Owf and Ayshah. This is the opinion of Ata' and ath-Thawri and Ash-Shafi'i and Ashab Ar-Ra'i (the Hanafis). We do not know anyone that differs with this opinion, as it is an opinion that carries facility for the women and weak folk and saves them from the hardship of the crowd, and it is also the permission of their Prophet (peace be upon him).

Thus from the previous quotes we see that it was permissible for the women and weak folk to leave Muzdalifah during the night, i.e. before Fajr and before the crowd arrived after Fajr. Those that enter into this permission are the women and children and those in their situation. And Allah knows best.

How much hair should a woman cut when coming out of Ihram

Shaving one's head is one of the rites of Hajj and Umrah. On this topic, the following verse praises the state of the Muslims: [with shaved heads and trimmed]

The Hanafiyyah have said: to shave one's head or to trim it is a Wajib aspect of Hajj. This is also the Madhhab of the Malikiyyah who said: The shaving itself is Wajib, the trimming on the other hand is sufficient.

The Shafiyyah state: Our Madhhab is that shaving is a rite that one is rewarded for performing - by performing it one leaves the first stage of Ihram, the Tahallul al-Asghar. Thus, according to this, shaving or trimming is a Rukn by which Hajj or Umrah is not accepted until it is performed.

And according to the Hanabilah, shaving or trimming is a rite from the rites of Hajj or Umrah. Thus according to them it is Wajib. In the book Al-Uddah sharh Al-Umdah, it states: "And shaving the head is Wajib because the Prophet (peace be upon him) did it, this coupled with the Hadith, "Take from me your Hajj rituals."

Having said that, the question that begs to be asked now is: which is better for a man, to shave his head or trim it, i.e. going bald or using a no.2 clipper? And how is this preference viewed in regards to women.

As for men, it is better for them to shave their head. The proof for this is the obvious order given in the verse [having shaved your heads and trimmed] because the Arabs would often begin with that which more important and preferred.

Also, this preference is based on the Hadith in which the Prophet (peace be upon him) said, "Oh Allah, be merciful to those that shave." They asked, "what about those that trim O Messenger of Allah?" He said, "O Allah, be merciful to those that shave." They asked, "what about those that trim O Messenger of Allah?" He said, "And those that trim."

And in another narration according to Muslim, he prayed for those that would shave three times and those that would trim once.

Even he (peace be upon him) shaved his head during Hajj, and no doubt, Allah would never choose for his Prophet anything other than that which is more preferred.



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But having said that, there is no difference of opinion that it is permissible to choose trimming instead of shaving. In Sahih Muslim with the explanation of Imam Nawawi it states: 'There is Ijma' (consensus) from the Ulama' that shaving is better than trimming, but that trimming is permissible.

Does this preference of shaving apply to women

In al-Mughni, it states: There is no difference of opinion between the people of knowledge that the Sunnah for a woman is that she should only trim her hair and not shave. Ibn Al-Mundhir said, "The consensus (Ijma') of the people of knowledge is that a woman should trim and not shave. This is because shaving in a woman's case would be considered mutilation."

And Ibn Hajar (may Allah have mercy upon him) said, "As for women, the Sunnah is that they should only trim their hair. There is Ijma' on this."

How much should a woman trim of her hair

According to the Malikiyyah, a woman should take from all her hair the span of an Anmulah (a fingertip span, about 1 centimeter), or a little bit more or less. Explaining this further, in Mawahib Al-Jalil Imam Malik - may Allah have mercy upon him - said, "There is no set measurement according to us. Whatever a man or woman takes from their hair it will be sufficient."

The Hanabilah said; A Woman should trim from her hair the span of an Anmulah. Said Abu Dawud: I heard someone ask Ahmad about whether a woman should cut from her entire head or not. He said, "Yes, she should join her hair together and then take from the ends of her hair the span of an Anmulah."

An According to the Shafi'iyyah it is desirable for a woman to trim the span of an Anmulah from all sides of her head. Al-Mawardi said, "She should not trim from the sides of her head because that will mar her. Instead she should lift up the hair and cut from that which is underneath."

Having said this, according to the Shafi'iyyah, all that is sufficient for both a man and a woman is three hairs whether they cut it or shave it. Nothing less than this is acceptable.

The Hanafiyyah said: What is meant by trimming is that a man or a woman should take from at least a quarter of the hair of their head, the span of an Anmulah. Meaning, they should take from all of that hair this measurement. They also said, it is wajib to cut a little more than the span of an Anmulah so that for sure at least an Anmulah was cut.

A woman receives her menses before her performance of Tawaf Al-Ifadah

This issue which comes up very often is as such: What if a woman gets her Menses, has not performed her Tawaf Al-Ifadah, and is in a situation where she has to leave Mecca. What should she do?

It needs to be said that being free from menses is a condition for a woman who wants to perform any Tawaf. Thus, with this in mind, if a woman performs Tawaf while in her menses her Tawaf will not be valid.

This is based on the authentic Hadith that Umm Al-Mu'minin Ayshah said, "I arrived in Mecca and at the time I was in my monthly period. I had not performed the Tawaf of the (Ka'bah), nor had I performed the (Sa'i) between Safa and Marwah. I mentioned this to the prophet of Allah (peace be upon him) and he said to me, 'Do as the Hajji (Hajj pilgrim) does other than performing Tawaf of the (Ka'bah) until you are clean.'



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This Hadith makes it crystal clear that a woman in her menses cannot perform any Tawaf until she has completed her period. What she should do is wait in Mecca until she completes her period, washes up, and then goes and performs her Tawaf.

Her Mahram should stay with her during this time. This is based on the Hadith in which Umm Al-Mu'minin Ayshah said to Allah's Messenger (peace be upon him) "Safiyah bint Huyayy has received her period." He replied, "She may be blocking us from leaving (then). Did she not perform Tawaf with you (i.e. the women)?" Ayshah said, "Yes (she did)." He said, "Then you may go."

On these lines, the scholars and the Muslims in the early generations would not leave Mecca until the menstruating women in their group got a chance to complete their period and perform Tawaf Al-Ifadah. As the Prophet (peace be upon him) said, "She may be blocking us from leaving (then)."

Abu Hurayrah used to say:

An Amir who is not an Amir, who is it? It is a woman with a group of people who receives her period before performing Tawaf Al-Ifadah. They, because of her, will be forced to stay until she completes her period and performs the Tawaf.

But what happens if, due to circumstances out of her control, a woman cannot stay in Mecca until her period is over in order to perform Tawaf Al-Ifadah? She would have one of three scenarios:

One: She may cut off her Hajj and go home with no Hajj.

Two: She may perform Tawaf even though she has her period because of the dire necessity she is in.

Or...

Three: If she leaves without performing Tawaf Al-Ifadah then she would still be in Ihram. Her husband would not be Halal for her until she returned to Mecca and made up the Tawaf.

Many scholars have debated over the solution to this problem. Perhaps the most merciful scenario and that which is closer to the principles of the Shari'ah is scenario two in which she performs Tawaf even though she has her period due to the dire necessity.

Sheikh Al-Islam Ibn Taymiyyah gave the following Fatwa:

A woman in her period should do the Hajj rites that she is capable of. What she has no control over is forgiven - thus she may perform Tawaf (even though she is in her period). She should shower as she showers for Ihram, in fact this situation is more deserving, and she should wrap herself tightly as she would during Istihadah blood, in fact this situation is more deserving.

This is what the texts (of the Quran and Sunnah) point to, in addition to the principles of the Shari'ah. With this opinion no contradiction is made with Islamic principles.

The texts point to Taharah being a Wajib aspect of Tawaf. Such as the statement of Allah's Messenger (peace be upon him): "The menstruating woman should perform all the rites of Hajj except the Tawaf." This is a general Wajib.

But we know from the principles of Shari'ah that an issue is Wajib only if the person is capable of performing it. As Allah says in the Quran [Thus, Fear Allah as much as you are able]. And as the Messenger of Allah (peace be upon him) said, "If I command you with something then do what you are capable of."



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The most Taharah in Tawaf is that it is a condition. At the same time we know that in Salah if a person is not able to be in a state of Taharah due to some external situation out of their control they are allowed to pray without it. Case in point: The Salah of a woman in Istihadah or someone who cannot control their urine may perform Salah regardless. If this is the case - where the conditions of Salah are forgiven when a person cannot fulfill them - then the conditions of Tawaf should also be forgiven when someone cannot fulfill them. In fact, the situation of Tawaf is more deserving of this ruling.

In any other solution (either she cancels her Hajj or tries to come back in the future, remaining in Ihram until she does) there is a huge hardship on her. And hardship is cancelled in Shari'ah.

As for those who say she may perform the Tawaf in her state, but she must pay a penalty for it - our opinion is that there is no penalty. This is because the Wajib, if a person is not blame-worthy for not performing it, then there is no penalty upon them. This is different then when someone leaves a Wajib due to forgetfulness, or ignorance, or intentionally.

The menstruating woman did not leave this Wajib in this case due to a blame-worthy reason. She could not fulfill the Wajib due to her menses, which is something that does not begin according to her will and desire. Thus there is no penalty upon her.

Thus, if a woman has received her period before she has performed Tawaf Al-Ifadah, she must remain in Mecca until she is clean and then go and perform it.

If in special circumstances and under dire necessity she needs to leave Mecca before completing her period, then according to some scholars - like Sheikh Al Islam Ibn Taymiyyah - she may perform her Tawaf even though she has her period and there is no penalty upon her. And Allah knows best.

Does a menstruating woman need to perform Tawaf Al-Wada'?

If a woman receives her menses before she has completed her Tawaf Al-Wada' (her farewell Tawaf) and she has already done her Tawaf Al-Ifadah, then she may leave Mecca without performing the Wada'. There is no penalty for her to do this.

This is the opinion of the general body of scholars. This facilitation is proved by the authentic statement of Ibn Abbas in which he said, "The people were commanded that the last thing they do (in Mecca) is Tawaf, except for the menstruating woman the command was lightened."

Moreover, in the Hadith in which Ayshah told the Prophet (peace be upon him) about Safiyyah's menses, he asked her if she performed Tawaf Al-Ifadah. When Ayshah said that she had, the Prophet (peace be upon him) said that they would not be held back. Meaning, she was allowed to leave Mecca without performing Tawaf Al-Wada'.

Also, there is no penalty upon a woman in doing this for the Prophet (peace be upon him) did not make mention of any penalty upon Safiyyah.



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Conclusion

The goal of this term paper was to distinguish the Fiqh rulings that are specific to women in Hajj. These rulings were divided and organized into two basic chapters, one dealing with the Ihram of a woman, the other discussing the ritual differences between men and women.

We learnt that it is equally part of the Sunnah for a woman to shower before Ihram just as it is for a man and that this ruling is not different for a woman in her Hayd or Nifas. We learnt that showering during Ihram was permissible and that a person may pour water on their hair and rub lightly their head.

Additionally, we learnt that she may wear any color of clothing, as long as it meets the Islamic standard of modest dress. And they may wear jewelry. She should uncover her face while in Ihram, but if she fears the gaze of non-Mahram men upon her, she may cover her face as the wives of the Prophet (peace be upon him) used to do. And they should not touch their spouse with desire.

In the second chapter on male/female ritual differences, we learnt that a woman should not travel to Hajj without the company of a Mahram. She should not raise her voice excessively when saying the Talbiyah.

Concerning the Tawaf, she differs with the men in that she should do Ramal (jogging) for the first three circumambulations, she should not uncover her right shoulder, and she should not crowd the men in trying to get near the Ka'bah or to kiss the black stone. And it is desirable for her to choose a time when there will be a less crowded.

Regarding the Sa'i, we learnt that being clean of menses is not a requirement, and that a woman may perform it even if she is in her menses. She is not required for her to run in the valley of Safa and Marwah.

We learnt that it is a Prophetic permission for the women and the weak folk to leave Muzdalifah early. Also, that shaving the head is only preferred for men and that women should not cut more than a centimeter of hair from the tips of her braids.

In detail, we discussed the situation of a woman who receives her Hayd before her performance of Tawaf Al-Ifadah. She should wait until she completes her Hayd to perform it, and her Mahram should stay with her. If for dire circumstances she needs to leave Mecca, we learnt that some scholars gave the fatwa that she may shower, wrap herself tightly, and perform the Tawaf even with her menses. But this should only sought when the necessity is sincere.

And finally, we learnt that a woman who receives her menses before performing Tawaf Al-Wada' does not have to wait in Mecca until she completes her menses. She may leave without performing it, as shown in the Sunnah of the prophet of Allah (peace be upon him).



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