



*Provision
for the Traveller*

By

**Shaykh Fahd bin Yahyā
al-'Ammārī**

**Judge at the Makkah Court
of Appeal**

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Introduction

All praise is due to Allāh alone, and may prayers and peace be upon the one after whom there is no other Prophet.

People, by their very nature, love to travel and move about from place-to-place and from condition-to-condition. Rather, this has become a form of enjoyment and relaxation for many people and you will even find some people who go to a different country every month or every summer for worship, Hajj, knowledge, da'wah, provision, tourism, hunting or some other need. Everyone should have knowledge and comprehension of the regulations of their worship in their residency and they should take knowledge from trusted people of knowledge who are renowned for their sound creed, ideas and manhaj.

As this knowledge is deen, look from whom you take your deen; this is all the more relevant in these times wherein there are deficiencies in belief and methodology and the deen and fatwa have become a virus causing doubts and obscurities for people. The greatest thing that a Muslim possesses in this worldly life is his deen; it is the most profitable wealth and most tremendous project that he has from the time of his birth up until he meets Allāh; within it is his salvation and his loss and he fears for it all which can cause it to vanish or decrease, just like a trader fears the loss of his wealth. A person therefore should be cautioned against following mere statements and concessions.¹

¹ Many people do not differentiate between the scholar and the student of knowledge, the preacher, the admonisher, the Imām of the Maṣjid, the Mu’adhin, the reciter, the Rāqī, the presenter of an Islamic programme, the student at a Shar’iah College, the social consultant, the Islamic poet –they are all given the same mantel of knowledge, fatawa and leading the Ummah.

O travellers: I greet you with the keys to the hearts, and hope to guide you to the way of the hearts, and the blessed way to reach this is via knowledge, dhikr and writing, and what a blessed path it is. A poet said:

*If Talaqqi [obtaining knowledge] reaches the brothers,
then there is no connection better than writing.*

A Muslim does not gift his brother with a better gift than a wise word with which Allāh increases him in guidance or answers a query.

O travellers I present to you an abridgement of the seventh print my book *al-Mukhtasar fī Abkām is-Safar* [The Abridgement of the Regulations of Travelling], in response to requests from some brothers for it to be a provision and companion to the traveller which is easy to carry and read, and as a gift to beginners to which its topics can be referred to. I strove to try to make the book as something in which the traveller can find what s/he needs. I

summarised it with the most important travel issues covering 250 issues and I expunged it from any subsidiary issues, areas of differing and evidences except in some slight issues. I compiled it based on the books of the Sunnah, their explanations, the statements of the companions, the successors and the four Imāms: Abū Haneefah, Mālik, ash-Shāfiʿī and Ahmad, their followers and other Imāms of Islām – may Allāh have mercy on them and increase them in goodness for what they have done for Islām and Muslims. I chose what was closer to the evidence and *ta'leel* [investigation] according to the investigative scholars. Allāh Says,

“O you who have believed, obey Allāh and obey the Messenger and those in authority among you. And if you disagree over anything, refer to Allāh and the Messenger, if you should believe in Allāh and the Last Day. That is the best [way] and the best in result.” {an-Nisā’ (4): 59}

Whoever wishes to investigate the areas of difference further, the views of the Four Madhāhib and of others, along with other evidences in regards to the issues related to travelling, can refer back to the original book and others. I ask Allāh to bring benefit with this work and to accept it with goodness, and make it sincere, blessed and beneficial across time, a reserve for a special day, and a righteous action after my death, Allāh is the best to ask and the kindest in Whom to hope. I have entitled this work *Zād ul-Musāfir* [Provision for the Traveller] and have embarked on it as charity on behalf of my father and family.

The Benefits of Travelling

Travelling is an opportunity for reflection and contemplation about Allāh's realm. Travelling is an opportunity for reflection on the self and to take it to account, it is preparation for projects and goals in a person's life. Travelling is an opportunity for remembering the abode of the Hereafter, from abode-to-abode until one reaches the eternal abode, either of eternal pleasure or of the fire, may Allāh avert us all from the fire.

Travelling can be for worship, tourism, connecting the ties of kinship or visiting brothers. Traveling is an opportunity to know different countries, civilisations, morals and notables. Travelling to the land of the Holy Sanctuary and Masjid Nabawī are journeys of faith and are educational trips which impact the soul and behaviour, and remind one of the Prophet (*sallAllāhu 'alayhi wasallam*) and his

honoured companions. Travel is exercise for the heart and enjoyment for the body and doctors encourage travelling for those who are experiencing stress on their souls and going through worries and grief. Traveling is therefore a successful remedy for those with psychological illness. Travelling is an opportunity for manifest introspection of the reality of the soul in terms of manners, ethics and behaving with Allāh and others.

O traveller: the Muslim is a person who has aims in life and a message, so let your journeys involve aims and objectives and bearing the message so that your journey is for worship, knowledge, da'wah and dunya.

Dear respected reader, in this book you will often come across the expression **“the jumhūr [majority] of the fuqaha [jurists]”**. It is not hidden from you that the acknowledged fiqh Madhāhib are four: Abū Haneefah, Mālik, ash-

Shāfiʿī and Ahmad. Likewise, the differences among them and their followers in regards to subsidiary matters of fiqh; so if two or three of them agree on an issue and one disagrees they are referred to as the “jumhūr [majority]”. We have to therefore be open to difference of opinion [in fiqh] and observe the etiquettes of differing without bigoted fanaticism which causes division, hatred and enmity among Muslims.

After this introduction we will now move on to a discussion about the rulings and regulations.

One: the defining principle of travel in which there can be concessions and its related issues

All that is customarily regarded by people as being “a journey” is thereby taken as being a journey, whether the distance is long or short and whether the time it takes is long or short. The crux of the matter is governed by the general custom of the people of the land or [what] most of them [deem as being a journey]. The customs of individuals are not taken into account due to the lack of clear evidence for the restriction – this is a Madhhab of a group of scholars. Custom in this regard is not devoid of three issues:

- i. Agreed custom that the distance is a distance of a journey, in which there can be concessions in rulings.

- ii. Custom which agrees that the distance is not one of a journey wherein there can be concessions.
- iii. Custom in which there is a difference of opinion as to whether the distance is one wherein there can be shortening [of the prayer], so there are no concessions in this instance based on the original case that it is not regarded as a journey.

It is said: whoever travels a distance reaching that of 88 kilometres [54.68 miles] is to be regarded as a traveller [in which there can be concessions in rulings] – this is the Madhhab of the majority of the jurists and is safer as an estimation. This is all the more when the custom is not specifically determined and when there is a lack of clarity and precision in the matter.²

² There is a difference of opinion in regards to estimating the ‘farsakh’ and due to this there is differing over the distance that is regarded as a travel journey [in which there

1. Whoever travels for a permissible or recommended reason, even if it is for a prohibited reason, like someone travelling to commit disobedience to Allāh, then they are allowed concessions due to the rulings for travel.
2. Whoever travels so as to intentionally break her/his fast or to intentionally shorten the prayer, it is not allowed for such a person to have the concessions for travelling as the person is merely trying to play tricks with Allāh's limits.
3. The ruling of travelling by land is the same as that of travelling by sea. If its distance, according to custom, reaches that of the distance to shorten the prayers then it is allowed for the person to practice the concessions for travelling.

can be concessions] between 70 and 120 kilometres [43.49 and 74.56 miles].

4. The crux of the matter being in the distance for shortening the prayer, whether the time it takes is long or short, is the Madhhab of the majority of the jurists.

5. Restricting the distance for travel only takes into consideration the distance it takes when departing [to the destination] and not returning [from the destination as well].

6. If a person has doubt about the distance that has been covered, is the distance considered “a journey” according to custom or not? It is to be said in this regard: the person is considered a resident and there are no concessions on the basis of being a traveller; there is also therefore to be no shortening of the prayers, no reason to not fast and the like so as to remain upon the original case [of being a resident]. This is the Madhhab of the majority of the jurists.

7. Whoever has two possible routes which can be taken on the journey: wherein one of the

routes is farther and reaches the distance of what is regarded as “a journey”, and another route which is close and does not reach the distance of what is regarded as “a journey”, then such a person has a number of possible cases:

a. If it is not possible for the person to traverse the closer route due to a valid excuse, and his intent is not to try to trick Allāh’s Divine Legislation, then the concessions in the rulings for travelling can be applied. This is the Madhhab of the majority of the jurists.

b. If the person’s intent in traversing the furthest route is as an outing then the concessions can be applied, remaining upon the original case that it is a journey.

c. If it is possible for the person to traverse the closer route, and there are no excuses to prevent this, and the furthest route is traversed not with the intent to merely be able to apply the

concessions – then the concessions in the rulings for travelling can be applied.

d. If the furthest route is traversed merely as a trick to practice the concessions – then the concessions are not to be applied. This is the Madhhab of the majority of the jurists.

Two: The Start of the Rulings of Travelling

1. The intent of travelling is a condition for the concessions in the rulings for travelling. If a person goes out to search for something that has been lost or for a picnic and does not intend to travel, then even if the person traverses the distance that is regarded as “a journey” the concessions are not to be applied. This is the Madhhab of the Four Imāms.

2. If a person [while departing] passes by the buildings [on the outskirts] of his land (or city, town) the concessions for travelling can be applied, but not while the person is still within the confines of his land (or city, town). An Ijmā’ [consensus] has been relayed in this regard.

3. If a person [while departing] passes by uninhabited farm yards, plots and gardens in which people for the whole year have not resided in – then there is no example to be taken

with such properties. Concessions in the rulings for travelling only take into consideration passing by buildings which are inhabited throughout the year. The same is applied in regards to factories and companies; they are also not taken into consideration unless these buildings have accommodation in which their workers reside. This is the Madhhab of the majority of the jurists.

4. The intent with “buildings” are those which are open and apparent on the route, if there are hidden buildings which are obscured by mountains for example and are not observable on the route then no consideration is given to these properties. This is the Madhhab of the majority of the jurists.

5. All that is customarily ascribed to be from the dwellings of a land are to be taken as such, and there are to be no concessions in the rulings for travelling applied until all of the dwellings of that particular land are passed by.

6. The concessions in the rulings for travelling begin when one has physically departed from the buildings of her/his land, not merely by visible departure. On the person's return to his place of residence from his destination the concessions in the rulings for travelling are again applied so long as s/he has not entered back into their land. Once entering her/his land the concessions in the rulings for travelling are not to be applied as travel has ended, this is according to consensus.

7. The concessions in the rulings for the traveller who is travelling by plane begin once the plane has departed from where the buildings can be seen on the horizon, no consideration is given to merely being at altitude in the plane. The concessions in the rulings for travel then end when the plane enters over country's associated buildings.

8. In regards to the way to analogise the distance at the end, then is the end defined as

the destination in the land to which the traveller is going or as the start of the country to which the traveller is going? There are two issues here:

a. If the intended place of destination is outside of the land to which the traveller is going and is considered as being separate from the land yet is passed by, then the crux of the matter to be considered is the actual final destination.

b. If the intended place of destination is within the land [to which the traveller is going] then according to the views of the jurists it is considered as the start of the land. This is because they restricted the start of concessions by departure from a land.

9. Separate buildings and neighbouring lands:

Firstly: if buildings are all associated with one land and are customarily regarded as part of the land, whether the separation between buildings is slight or considerable, then the concessions in the rulings for travel start when a person departs

the last buildings of the land, as the ruling is on account of departing from the land.

Secondly: if the land neighbours another land then there are two matters:

- a. If the two lands are connected then the concessions will start when the departure is from both lands as one land. This is the Madhhab of the majority of the jurists.
- b. If the two lands are separate, whether the separation is slight or considerable. Then the person shortens the prayers when departing from his land.

Three: Categories of People in Terms of Citizenship, Residency and Travel

10. A person being a citizen of his country of origin, if he leaves it yet has the intention to return to it and has not taken another citizenship of another country, then his ruling is that of a traveller outside of his country.

11. A person being a citizen of a country which is not his country of origin and taking it as his country, and does not have the intention to travel from it, then its ruling is the ruling of his original country. If he returns to his country of origin for a visit or any other reason, then his ruling is that of a traveller, as was done by the Prophet (*sallAllāhu 'alayhi wasallam*).

12. Whoever travels to a country and intends to reside there absolutely, then the person will have the ruling of residency.

13. The traveller while on the route has the concessions of the rulings of travel applied according to the agreement of the scholars. Here the traveller is referred to as “a wayfarer”.

14. If a traveller enters his country, even if it was for a day, or passes by his country, then his travel comes to an end and he is not regarded as a traveller.

15. Those who travel on a daily basis such as drivers, cabin crew staff and the like have two scenarios:

16. If their families are with them during these trips then they will be considered as residents while they are in, or on board, their means of travel and they do not have the concessions in the rulings of travel applied to them; this is the Madhhab of the majority of the jurists.

17. If their families are not with them then the concessions in the rulings of travel can be applied to them.

18. If a person travels from his country and while on the route wants to return to it due to a need or any other purpose, can the concessions in the rulings for travel be applied? There are two matters here:

19. If the distance reaches that in which one can shorten the prayers then the concessions can be applied.

20. If the distance does not reach that in which one can shorten the prayers then the concessions will not be applied. This is the Madhhab of the majority of jurists.

21. Whoever travels to a country for work, study or any other reason, whether the travel is restricted by a specific time or work or not, then there are different opinions in this regard:

a. **First view:** if the person intends to remain for four days then he should complete his

prayers in full – this is the Madhhab of the majority of the jurists.

b. **Second view:** if the person intends to remain for nineteen days then he should shorten his prayers as was the practice of the Prophet (*sallAllāhu 'alayhi wasallam*) at the conquest of Makkah. If a person stays for longer then he should complete his prayers in full, this is the Madhhab of Ibn 'Abbās (*radi Allāhu 'anhu*).³

c. **Third view:** the main rule about residency is governed by custom, as in the case of travel itself, so whoever the people customarily regard as being “a resident” is to be taken as such, as in the case of whoever custom dictates is “a traveller”. The *taq'īd* [extraction of principles] of this view is as follows:

³ Bukhārī, no.1080.

22. The agreed custom that the person is a resident, like the one who travels for work or study, and stays for a year or years.

23. The agreed custom that the person is a traveller, like the one who travels for Hajj, 'Umrah, an outing or for treatment, and stays for a month, two months or the like.

24. A differed upon custom over such a person, is the person's residency more than his travel? Like the one who spends a number of months for knowledge, work or the likes. The issue is susceptible to the two possible matters and the preponderance towards residency is safer as a precaution.

25. All of these views have the strengths and taking precautionary views in these issues are safer and more sought after especially when it is connected to two pillars of Islām.⁴

⁴ This is applied as follows:

Students, whether they are within their country or on a scholarship elsewhere, and remain for a year or years and

26. If a person travels to a country and resides there for a need which s/he does not know when will be resolved, it will be allowed for the person to have the concessions in the rulings for travel applied. This matter is agreed upon by the jurists. It is safer as a precaution for a person that if they strongly think that they will remain in a country for a long period to not apply the

are settled in the country, and know when they will return and are not frequently travelling between countries on a regular basis – are not considered travellers. A person therefore should not follow certain fatāwā and concessions, even if certain scholars may issue them, as it does not harm a person to completely pray in full when he knows that he is performing an act of worship and has certainty and assurance in his prayer. A Muslim should therefore be careful of leniency in this matter.

The same ruling noted above also applies to employees and others if they are settled and not frequently between countries.

Whoever travels for a few days, weeks or months on an outing or for treatment, work or training, or goes to Makkah for Hajj or 'Umrah – then his ruling is that of a traveller. This is whether there is a specified time for return or not.

concessions in the rulings for travel. The traveller will then be referred to as “a resident”.

27. Whoever has a home in his country of origin and also a home in the country to which he is travelling to, and also has a family and settlement there, if he travels to his country of origin to remain there for a short holiday, celebration or any other reason, then he is to shorten his prayers as he is considered a traveller and possessing a home does not necessitate completing the prayers in full. If the person frequents both homes regularly sometimes staying days, weeks or even months – then the person has two abodes of residence and two countries, and is thus not considered a traveller in either country. While on route to either country, he is considered a traveller and the concessions in the rulings for travel are applied.

28. Whoever has a wife in a country to which he travels to occasionally and stays a number of days there and then returns to his country in

which he resides, can have the concessions in the rulings for travel applied as long as he does not frequently travel there as noted above.

29. If a person is settled in a country and is sure that he will reside there and then returns to his country of his parents to visit them, or for any other reason, then the concessions in the rulings for travel will be applied while he is in the place where his parents reside.

30. Kings, princes and rulers who travel within their lands, countries and states, and from country to county, if they cover the distance in which prayers are to be shortened then they are regarded as travellers and the concessions in the rulings for travel are applied to them unless this is a regular and continuous practice – as mentioned in prior case above. This is the Madhhab of the majority of the jurists.

Point of Attention:

The previous descriptions and situations in and of themselves are not reasons for residency, however if it has a number of characteristics which custom affirms, such as frequent travelling, a home and residency for a number of days or weeks, then these are taken into consideration.

31. Whoever travels a distance which is considered “a journey”, even if it is for one day, and then returns to his land, then he is to shorten his prayers so long as he is considered a traveller. This is the Madhhab of the Four Imāms.

32. Whoever travels on a daily basis and frequently covers the distance, which is not long, in which prayers are to be shortened, such as some employees, teachers and students, then as a precaution such people should not shorten their prayers as it has become a regular habit of

theirs. It is allowed for them to combine their prayers, without shortening them, if they experience any difficulty. If however the travel is long then it is allowed for them to both shorten and combine their prayers.

33. Whoever covers the distance in which prayers are to be shortened due to work or study and stays in a land during the periods of study or work and then returns to his land for a week, for example during holidays, then the concessions in the rulings for travel can be applied while in the land of work or study. This is because it is apparent that the person's situation is one of travel and not settlement. When the person returns to his original land of residency he completes the prayers in full.

Four: Manners

Gaining permission from one's parents when travelling is in the following scenarios:

34. Travelling to Hajj is wājib and as a result one does not have to gain permission from one's parents to go, though it is recommended to get their permission. If they do not allow one to go, they do not have to be obeyed in this instance as the Prophet (*sallAllāhu 'alayhi wasallam*) said: “*There is no obedience in disobedience; obedience is only in that which is good.*”⁵ As for voluntary acts of worship, then one should gain permission from one's parents and they should be obeyed if they do not allow one to travel for such voluntary [acts of worship].

35. Travelling for individually-obligatory knowledge which cannot possibly be attained in one's own country, even via modern means of

⁵ Bukhārī, no.7257.

communication, does not require seeking the parents' permission. The parents are also not to be obeyed if they do not allow travelling for such purposes – however, it is recommended to get their permission. As for voluntary knowledge then their permission is required; as for collective obligations then if such knowledge is not present in the person's country, or if the knowledge is what the Ummah needs and the person has the ability to obtain it then he does not have to get the parents' permission, although it is recommended.

36. Travelling for business: if it is in order to fulfil some needs for himself or his family which if not fulfilled will result in harm then a person does need to gain his parents' permission. But if the person wants to stay for a long period of time, permission from parents should be sought.

37. Permissible Travel: The parents' permission is required. The main rule for obedience to the

parents is governed by benefit and harm, and there are a number of issues in this regard:

a. If his travel is beneficial for him and there will not be any harm on his parents as a result of it, then he does not have to gain their permission.

b. If his travel is beneficial for him yet his parents will experience harm as a result of him going, then he has to gain his parents' permission.

c. If there is harm in the person not travelling and if in the journey is any harm on them, then the matter is not devoid of the following issues:

i. If the harm is greater, then it is not required to gain the parents' permission, yet if harm on the parents may arise then permission from them should be sought.

ii. If the two harms are the same then each issue is to be estimated accordingly. There is

no doubt that dutifulness and disobedience are of various levels, may Allāh provide us with dutifulness to the parents and forgive those of them who may have died. Permission from one of the parents is insufficient; the permission has to be from both.

Points of Benefit:

❖ Shaykh ul-Islām Ibn Taymiyyah was asked about the one who has children yet travels, and answered: “As for the person with a family travelling, then if his travelling harms his family then he should not travel, based on Allāh’s Messenger (*sallAllāhu ’alayhi wasallam*) saying: ‘*It is enough a sin for a person neglect those whom he is responsible to feed.*’”⁶

❖ It is recommended for the traveller to write his Wasiyyah [bequest] before his journey. If he has any rights [of others to fulfil] then he should do this as instructed by the Prophet (*sallAllāhu ’alayhi wasallam*).⁷

❖ It is recommended that one bids farewell to family, Shaykhs and companions. It is relayed

⁶ Ahmad (hadeeth no. 6495) and al-Hākim (hadeeth no.1515); it was authenticated by Ahmad Shākir and Shu’ayb al-Arna’ūt in his critical edition of the Musnad, hadeeth no.6495.

⁷ Saheeh Muslim, no.1672.

in the hadeeth of Abū Hurayrah (*radi Allāhu 'anhū*) that he said: “We went to Allāh’s Messenger (*sallAllāhu ‘alayhi wasallam*) to bid farewell to him when we wanted to travel.”⁸

❖ It is recommended for the traveller to bid farewell to family and friends and to say:

*“I place you in Allāh’s trust, whose trust is never misplaced.”*⁹ And they reply and say:

*“We place your deen, your faithfulness and the ends of your deeds in Allāh’s trust.”*¹⁰

What can also be said is:

*“May Allah increase you in taqwā, forgive your sins and facilitate good for you wherever you may be.”*¹¹

⁸ Saheeh ul-Bukhārī, no.2954.

⁹ Ahmad, no.9230; Ibn Mājah, no. 2825; Ibn us-Sunnī, no.505 and others; authenticated by al-Albānī in Saheeh Ibn Mājah, no.2825 and deemed hasan by Ibn Hajar in *al-Futūbāt*, vol.5, p.114.

¹⁰ Ahmad, no. 4542; at-Tirmidhī, no.342; authenticated by Ahmad Shākir in *Tahqeeq ul-Musnad* and deemed hasan by Ibn Hajar in *al-Futūbāt*, vol.5, p.116.

❖ In regards to bequeathing a traveller to convey the salāms to whoever he is travelling to, then if the conveyer accepts the responsibility to convey the salāms then this is a trust which he is obligated to fulfil. If he does not accept the responsibility to convey the salāms then he is not obliged to fulfil it. The one giving the salām should say to the conveyer of the salām on his behalf (i.e. the traveller): “if you are able to”, so as not to make the matter too difficult on him.

❖ It is recommended to travel on Thursdays, this is based on the hadeeth that the Prophet (*sallAllahu 'alayhi wasallam*) went out to the Battle of Tabuk on a Thursday, and he used to love travelling out on Thursdays.¹² It is not permissible to believe in bad omens in regards

¹¹ At-Tirmidhī, no.3444; ad-Dārimī, no.2713, with the addition at the beginning being “in Allāh’s Protection and His...” and Ibn Khuzaymah, no.2532; authenticated by al-Albānī in Saheeh ut-Tirmidhī, no.3444 and deemed hasan by Ibn Hajar in *al-Futūbāt*, vol.5, p.120.

¹² Saheeh ul-Bukhārī, no.2950.

to travelling on any other days, if a person has to travel on any other day then he should do so.

❖ It is recommended to travel at the early part of the day, and it has been said: it is recommended to travel at night.

❖ Ibn Rajab (*rahimabullāh*) said, in one of his subtleties: “Travelling at the end of the night is praiseworthy, traversing the world by the body and the heart traverses unto Allāh with righteous actions.”

❖ It is from the Sunnah for a traveller to put aside some money for his journey and all are to assist in order to remove any difficulties.

❖ It is prohibited to travel with a group on a journey in which there is a dog or a bell, or to have the skin of a tiger during a journey. The Prophet (*sallAllāhu 'alayhi wasallam*) said: “*The angels do not accompany a group with whom there is a dog or bell.*”¹³ The Prophet (*sallAllāhu 'alayhi wasallam*) also said: “*The angels do not accompany a*

¹³ Saheeh Muslim, no.2113.

group with whom there is a tiger skin.”¹⁴ The Prophet (*sallAllāhu ’alayhi wasallam*) also said: “*The angels do not accompany passengers with whom there is a Jaljal [i.e. a small bell].*”¹⁵ There is an exemption when the dog is either a guard dog or for hunting due to a need, as the Prophet (*sallAllāhu ’alayhi wasallam*) said: “*...except for a dog which walks with livestock [i.e. a sheep-dog], a guard dog or a farm dog [which watches over crops].*”¹⁶

❖ If a person travels alone and has a dog, then the ruling also applies as the preponderant restriction is regarding accompanying.

❖ The traveller should strive to learn that which he needs for his journey in regards to the rulings and regulations of travel or Hajj, ’Umrah,

¹⁴ Abū Dāwūd, no.4130 and deemed hasan by an-Nawawī in *al-Khulāsah*, vol.1, p.78, yet there is some discussion about its authenticity.

¹⁵ Ahmad, no.4811; an-Nasā’ī, no.5220; authenticated by Shu’ayb al-Arna’ūt in his critical edition of the Musnad. Al-Albānī also deemed it authentic in *as-Silsilah as-Saheehah*, no.1874.

¹⁶ Saheeh Muslim, no.1575.

business, hunting or the regulations for interacting with disbelievers. He should take a book with him to help him in this regard and refer to it as necessary.

From the Advice of the Salaf to Travellers

❖ A man went to Allāh’s Messenger (*sallAllāhu ‘alayhi wasallam*) and said: “O Messenger of Allāh, I am travelling so please advise me.” The Prophet (*sallAllāhu ‘alayhi wasallam*) said: “*It is upon you to have taqwā of Allāh and make takbeer at every high point.*” Then he said (*sallAllāhu ‘alayhi wasallam*): “O Allāh, shorten the distance for him and make the journey easy for him.”¹⁷

❖ Allāh’s Messenger (*sallAllāhu ‘alayhi wasallam*) sent Mu’ādh and Abū Mūsā to Yemen and said to them both: “*Make things easy for the people and do not make things difficult for them; give them glad tidings and do not cause people to flee (from Islām).*”

¹⁷ Ahmad, no.8310; at-Tirmidhī, no.3445, who deemed it as hasan, al-Hākīm, no.2481, who authenticated it and adh-Dhahabī concurred with him; Shu’ayb al-Arna’ūt in his critical edition of the Musnad also deemed it as hasan, no.8310.

*Cooperate with each other and do not become divided.”*¹⁸

Unity, mutual cooperation, agreement and not differing is advice which every traveller needs and should be a practical reality in the lives of the Muslims, be it while travelling or residing. This guidance has been absent from both the minds and realities of the Muslims, as the reality of many societies, environments and families is conflict, aversion and separation.

❖ Yahyā al-Laythī said: “When I gave farewell to Mālik, I asked him to advise me and he said to me: ‘Upon you is to be sincere to Allāh, His Book, the Imāms of the Muslims and the generality of them.’ Then I went to Layth [ibn Sa’d] and when I was about to depart from him I asked him the same as I asked Mālik and he replied with the same as what Mālik did.”

❖ A Bedouin woman advised her son about a journey and she said to him: “O my son, you will be with strangers, separate from your

¹⁸ Bukhārī, no.3038.

friends; so mix with the people in the most beautiful manner and fear Allāh openly and privately.”

❖ Another advised her son who was about to set off on a journey: “Beware of abandoning your deen and miserliness; and whoever combines between forbearance and generosity has truly perfected his two-piece garment.”

❖ Muhammad al-Khidr said while he was in Germany: “If the ocean shuts off the observation of those near to you, and your critiques’ mouths are sealed, and then it seduces you to remove the adornment of your manners then say: ‘principle has no nation.’”

❖ Beware of pride and be humble, do not be a burden on others. Mujāhid said: “I accompanied Ibn ’Umar [on trips] to serve him and he would also serve me.”

❖ Beware of selling out your principles and values while travelling, by spending unnecessary time in markets, following desires, wasting

money, getting involved in disputes, showing off and wanting to be known without need.

❖ Let your intention be present in your journey, being for Allāh's Countenance, if the journey is purely as an act of worship. If the journey is a customary trip then make it an act of worship by making your family and children happy. Whatever you spend and whatever difficulty you experience you will be rewarded for by Allāh's permission, so make all of your affair be to please Allāh and obey Him.

❖ Safeguard the daily Adhkār relayed in the Qur'ān as many people are heedless of them during their travels due to their preoccupation with enjoying their travels. I came across some righteous people who did not abandon their portions of five Juz of the Qur'ān everyday, or their portion of Qiyām ul-Layl while travelling.

Appointing a Leader While Travelling

38. Its ruling is that it is recommended, based on the Prophet (*sallAllāhu 'alayhi wasallam*) saying: “*If three people go out on a journey they should appoint one of them as a leader.*”¹⁹

39. Leadership is for men.

40. Leadership is for the most knowledgeable.

41. The way to appoint a leader is via consultation and selection.

42. The start and end of leadership is from the start of the journey until its end, as it is connected to travelling.

¹⁹ Abū Dāwūd and at-Tabarānī, *al-Ansat*, hadeeth no.8093; authenticated by Abū Hātim and Abū Salamah agreed with him in *ʿIlal Ibn Abī Hātim*, hadeeth no.225. Also authenticated by ad-Dāraqtunī in his *ʿIlal*, hadeeth no.1795 and an-Nawawī concurred with this and deemed it as hasan in *al-Majmūʿ*, vol.4, p.390; Authenticated by ash-Shawkānī in *Nayl ul-Awtār*, vol.8, p.294.

43. The conditions for leadership is that the group are all on a journey, and that this group comprises three or more people. As for just two people, then the matter is based on consultation between the two of them.

44. Obedience to the travel leader is wājib.

45. Obedience to the travel leader is wājib in those matters related to the journey, such as the adequacy of food, staying at certain places and the likes. It is not in regards to everything, only in regards to the journey so there should not be any excess in the matter, and what is apparent is that special authority is based on custom. What some people misunderstand in the matter is in thinking that such a leader has absolute authority in permissible actions and acts of worship. Obedience to the leader is only in that which is good, but if he is hard on them and harms them with what they are unable then it is not permitted [to obey him].

46. If the leader and the travellers differ in regards to the Qiblah then they do not have to listen and obey him as there is no obedience to him in this or in any other acts of worship.

47. The most knowledgeable of the Qur'ān should lead in prayer over the travel leader, based on the Prophet (*sallAllāhu 'alayhi wasallam*) saying: *“If three people go out on a journey they should appoint one of them as a leader, and the one who has the most right to lead in prayer is the one who knows the most Qur'ān.”*²⁰

²⁰ Muslim, hadeeth no.672.

Prophetic Supplications for Travelling

It is recommended to make the supplications for travelling when going and returning. If one mounts a riding beast when departing from the land the supplication for travel should be made after making takbeer thrice:

“Glory unto He Who has placed this [means of travel] at our service and we would not have been able and unto our Lord is our final destination. O Allāh we ask you for righteousness and God consciousness in our journey and let us cover its distance quickly. O Allāh, You are the companion on the journey and The Successor over the family. O Allāh I seek refuge in You from the difficulties of travel, from having a change of heart and being in a bad predicament. And I seek refuge in You from an evil outcome in wealth and family.”

And upon returning one should say:

*“We return, repent, worship and praise our Lord.”*²¹

And in another narration:

“...and The Successor over family and wealth.”

And in another narration:

*“...and [protect us] from destruction [hawr] after construction [kawr] and from the supplication of the oppressed.”*²²

In another hadeeth: *“If a man returns back to his family from travel he should say ‘repentance, repentance, to our Lord we return, He Who does not leave a sin except that He forgives it.’”*²³

In another narration: *“When he would travel he would mount his riding beast and indicate with his finger like this (Shu’bah, the narrator of the hadeeth extended*

²¹ Saheeh Muslim, no.1342.

²² Saheeh Muslim, no.1343.

²³ Ahmad, no.2311; deemed hasan by Ibn Hajar in *al-Futuhāt*, vol.5, p.172 and authenticated by Ahmad Shākir in his critical edition of the Musnad, no.2311.

*his finger to demonstrate) and then he would mention the supplication for travel.”*²⁴

❖ If the supplication for boarding [a riding beast or means or means of transport] surpasses at the start of the trip, then a person can say it during the trip as in the case of the *basmalah* for Wudu and eating.

❖ The addition of “we return” etc. is to be said when nearing ones land of residence, this is based on the hadeeth “When we approached Madeenah he (*sallAllāhu ’alayhi wasallam*) said: ‘*We return, repent, worship and praise our Lord.*’”²⁵

❖ If a person travels and moves from country to country, during his journey the person can suffice with making dua at the start and does not need to repeat the supplication again.

²⁴ At-Tirmidhī, no.5501 and an-Nasā’ī, no.3438.

²⁵ Saheeh Bukhārī, no.3085.

❖ A point of reflection: the supplication for travelling has great meanings and contains Prophetic enlightenments, faith-based subtleties and great aspects of guidance.

❖ It is recommended to make much supplication and to seek forgiveness while travelling as it is the time when supplication can be answered and an opportunity for humility.

❖ It is recommended that if one stops to stay and lodge at a place to say:

“I seek refuge in Allāh’s Perfect Words from the evil that He has created.”

Whoever says it will not be harmed by anything until he travels from his place of stay.²⁶

❖ It is recommended for the traveller if he travels and goes at altitude, that he should make *takbeer*, and when descending, make *tasbeeh*.²⁷

❖ It is recommended for the traveller when entering a land to say:

²⁶ Saheeh Muslim, no.2708.

²⁷ Saheeh Bukhārī, no.2993.

*“O Allāh, Lord of the seven heavens and all that they encompass, Lord of the seven earths and all that they carry, Lord of the devils and all whom they misguide, Lord of the winds and all they carry away. I ask You for the goodness of this village, the goodness of the people and the good that is within it; and I seek refuge in You from the evil of this village, the evil of its people and the evil that is within it.”*²⁸

❖ It is prohibited for a person to travel alone if there are people to accompany him, and to travel without a need, due to there being a forbiddance of this²⁹ and due to potential savagery and thieves [which can possibly be encountered] and there being no one to help out after Allāh if such harm is encountered.

❖ It is recommended for the traveller to choose a righteous travel companion who wants

²⁸ Ibn Hibbān, no.1709 and al-Hākim, no.2488 who authenticated it and adh-Dhahabī agreed with him; Ibn Hajar deemed it hasan in *al-Futūbāt*, vol.5, p.154.

²⁹ Saheeh Bukhārī, no.2998 and at-Tirmidhī who deemed it as hasan, hadeeth no.1673.

to do good and hates evil. One should also ensure to please his travel companion and concur with him and not differ with him, and observe patience and mercy with what occurs from his travel companion. Each should have regard for the other and safeguard his companion's virtue and sanctity. The poet said:

*If you accompany a people during a journey,
Then be unto them like a close relative.*

A Point of Attention and Warning:

Whoever contemplates on the Prophet's forbiddance of a person travelling alone will realise the great wisdoms and secrets in it. For we have heard and witnessed those who travelled alone and the risks that they faced such as murder, transgression and falling into decadence, immorality and deviation, this is even if the person was intelligent; you will find that he is at times weak when alone.

They said about travelling:

❖ [A poet said]:

*Whoever is suitable to be a companion on a journey, is
suitable to be a companion while settled.*

*Yet though he could be suitable while settled, he may not
be suitable on a journey.*

❖ Travel removes hidden aspects from within and brings forth good character from

people; 'Ali (*radi Allāhu 'anhu*) said: “*Travelling is the scale of people.*”

❖ Imām ul-Haramayn was asked: “Why is travel a portion of punishment?” And he replied immediately saying: “Because within it is leaving behind loved ones.”

❖ Ibn Hajar said: “Travelling involves wearing clothes that one does not usually wear while settled” -so long as the clothing does not contain anything prohibited in the Divine Legislation.

❖ “Integrity during travel is expending provision, avoiding disagreement with companions, light-hearted joking without displeasing Allāh, and if you depart from them you spread all goodness about them.”

Five: Issues of Creed

55. Travelling to the lands of kufr is not permissible except with conditions:

- a. That his travel and residency is due to a dire need.
- b. That he has the requisite īmān to avert any desires, and the knowledge to avert any doubts.
- c. That he is able to establish the symbols of his deen in that land.

56. Travelling to countries in which evil and immorality is apparent just for outings and tourism is not permissible if a person fears falling into immorality and decadence.

57. Going to the abodes of those who were punished, whether due to travel or not, such as Madā'in Sālih, for outings, tourism and amazement is not permissible. As for doing so in order to take heed then there is no problem. Travelling to the Dead Sea is allowed due to the

lack of evidence that the location was the actual abode of the people of Loot.

58. Visiting archaeological remains and ruins has two scenarios:

First: travelling to them on account of them, this has the following scenarios:

a. That it is visited as an act of worship then this is impermissible as a Muslim does not worship Allah except with what Allah has legislated.

b. That it is visited for tourism and knowledge, then this is allowed with the following conditions:

i. That one does not visit them to gain nearness to Allah or to seek blessing [Tabarruk].

ii. That one does not intend veneration of them by visiting them.

iii. That there are no apparent evils occurring there which one cannot forbid such as shirk and bida'.

Second: visiting them without travelling, and this is accurately permitted with the above conditions.

59. Visiting mausoleums and sites which contain graves and tombs for the purpose of Tabarruk [seeking blessing] from it and those in it, and believing such visits to be the Sunnah and recommended, such as the Cave of Thawr, the Cave of Hira', Mount Uhud, Mount 'Arafat, the site of al-Husayn, Zaynab, Salāhuddeen, al-Badawī or others – is not permissible. Intending prayer and supplication at such sites, making Tawāf around them, and taking them as places for being cured – is not permissible as such actions are innovations and rejected, and were not practiced by the best of generations, the companions of Allāh's Messenger (*sallAllāhu 'alayhi wasallam*) who were the most knowledgeable of people and those who feared Allāh the most.

Point of Attention:

People lax much and are lenient when it comes to travelling to certain disbelieving countries and countries which are full of apparent immorality everywhere. Travel to these countries, for no necessary reason, has become competitive and excessive and people have become lenient in going to places of trouble such as markets and beaches where prohibitions occur and anger The Most Merciful. All of this has an impact on a person's īmān and heart and likewise on a man's wife, children and friends. So one should be at the utmost caution in regards to this, as a person is weak and influenced by what he witnesses and sees, and a person does not have anything greater than his īmān and his heart is what will rectify his life, his hereafter and his limbs.

So people should know that they are possibly destroying all that they have built for themselves and their families. People should know that if they continue with their travel they

should safeguard their *īmān* and avoid prohibited places, and beware of leniency, misinterpretation and the soul getting deceived – all of which will affect *īmān*, *marū'ah* [integrity] and *akhlāq* [good character]; as for those who may respond and say “but in our countries there is immorality”, then it should be said in response: there is a difference between immorality which has been presented and an immorality which is constant and is the basis, immorality which is slight and that which is abundant. With this, it is not permissible at all to sit in places of immorality and prohibitions based on the text of the Qur’ān and Sunnah, except when the Divine Legislation has granted an exemption in cases of dire need and the like.

Six: Regulations for Purification

60. Urinating in oceans is permissible, as for within small rivers and ponds which have weak flow then it is impermissible to do so as they will become polluted and Najas, as such small rivers and ponds are often used by people as water sources.

61. It is prohibited to defecate in water regardless of it being vast or not, flowing or stagnant, such as in ponds or small rivers as this will pollute them and they are often used by people as water sources. It is not prohibited to do so in an ocean far from coastal areas so as not to pollute them and harm people.

62. It is prohibited to relieve oneself in a shade which people use for their benefit or on a path which is traversed. This is agreed upon [by the scholars] and based on the Prophet (*sallAllāhu 'alayhi wasallam*) saying: “Fear the two that are

cursed.” The Sahābah asked: “What are the two that are cursed?” The Prophet (*sallAllāhu ’alayhi wasallam*) replied: “*Whoever relieves himself on the people’s pathway or in their shade.*”³⁰

63. It is prohibited to relieve oneself under a fruit-bearing tree as that will cause harm to people and ruin its fruits and both causing ruin and aggression are prohibited.

64. It is not disliked to relieve oneself under a non-fruit bearing tree which the people do not use for shade.

65. Whoever wants to relieve themselves should cover themselves and seclude themselves far away so that people cannot see, there is a consensus on this based on the Prophet (*sallAllāhu ’alayhi wasallam*) saying: “*A man should not look at the ’Awrab of another man.*”³¹

66. It is permissible according to consensus to make Wudu in ocean, sea, river or pond waters.

³⁰ Saheeh Muslim, no.269

³¹ Saheeh Muslim, no.338

67. It is permissible to make Wudu in water which has changed colour due to trees, algae, mud, longevity or rust.

68. It is permissible to make Wudu in water which has changed smell due to a neighbouring Najāsah [impurity]. If however the water has changed its taste and colour [due to the Najāsah] then Wudu should not be made from this water according to consensus.

69. If a person has doubt as to whether the water is pure or impure and does not know its condition prior then the original basis is that it is pure and it is allowed to make Wudu from it.

70. If Ghusl from Janābah is obligated on the traveller yet the weather is extremely cold and the person fears that if he uses water he will become sick, and there is no way to heat the water and that if he does heat the water the time will elapse, it is allowed for him to make Tayammum – this is the Madhhab of the majority of the jurists. If he has just a small

amount of water which is not enough for Ghusl, he should make Wudu with it and then make Tayammum for Ghusl. Likewise for Wudu, if he is able to use water then he has to make Ghusl.

71. Tayammum is with clean earth when there is no water available, or when one cannot use water due to illness and the likes. If clean earth cannot be found then one uses whatever is found on the earth.

72. The traveller in a plane, or who is in a place wherein there is neither water nor anything to make Tayammum with, then s/he should pray as s/he is.

73. It is incorrect to make Tayammum from the interior walls of a plane or the carpet or from the seats as it is not clean earth or part of it.

74. It is allowed for the traveller to wipe of the socks [leather and cotton] for three nights and a night for the resident. The wiping starts from the beginning of the first wipe after excretion and after wearing the socks.

75. If a person begins wiping while he is resident and then travels, then his wiping will become that of the traveller.

76. If one starts the wiping while travelling and then becomes resident again in his homeland, his wiping will become as that of the resident. This is the Madhhab of the majority of the jurists.

77. If a person excretes while he is resident and then travels before he wipes, then his wiping will be that of the traveller according to consensus.

78. If the person wears his socks and then travels before excretion, his wiping will be that of the traveller according to consensus.

79. If there is doubt as to when the wiping has started, was it while as a resident or as a traveller, then as a safer precaution he wipes as a resident.

Seven: Regulations for the Adhān

80. It is recommended (Mustahab) for both travellers and individuals to make the adhān and the iqāmah. This is the Madhhab of the majority of the jurists.

81. If the time for prayer has come in without the adhān having been called or the iqāmah made, or just the Iqāmah has been made, then this is correct and valid. This is the Madhhab of the majority of the jurists.

82. If travellers enter a Masjid and the adhān is called, then they should suffice with making the iqāmah so as not to cause confusion on the people in the Masjid.

83. It is permitted for the traveller to make the adhān while being in a car, plane or the likes.

84. It is correct and valid to make the adhān while seated in a plane, if there is an excuse for this. It is correct even without a valid excuse for

it yet disliked. This is the Madhhab of the majority of the jurists.

85. There is an Ijmā on it being Mustahab [recommended] to face the Qiblah for the adhān. It is correct and valid without facing the Qiblah, though disliked.

Eight: Regulations for the Prayer

86. To cover one's 'Awrah from the navel to the knee is a condition for the prayer. If a person praying exposes what is above the navel, the shoulders or one of them then the prayer is still valid and correct – this is the Madhhab of the majority of the jurists, but it is preferable to cover them if able so as to show manners with Allāh and in order to escape from any disagreement and anything disliked.

87. Seeking to find the Qiblah by asking and other forms of investigation while at home or while travelling in another country is obligatory, as facing the Qiblah is a condition of the prayer.

88. If one prays towards other than the Qiblah without striving to find the right direction, yet he was able to do so, then he should repeat his prayer. This is the Madhhab of the majority of the jurists.

89. If one prays towards other than the Qiblah after striving to find the right direction, then if he is travelling on the route or outside of the country then he is not to repeat his prayer. This is the Madhhab of the majority of the jurists.

90. If one who is a traveller prays towards other than the Qiblah after striving to find the right direction however he is staying in another country, then he does not have to repeat the prayer again as he did what he was able. This is the Madhhab of the majority of the jurists.

91. If a resident informs a traveller within the country as to the Qiblah and it becomes clear to the traveller that he made a mistake, he does not have to repeat the prayer again as he did what he was able. This is the Madhhab of the majority of the jurists.

92. The words and views of a disbeliever are not to be accepted in regards to the Qiblah – this is the Madhhab of the majority of the jurists. This is because the matter is connected

to religion and not dealings. It has been said: “the disbeliever’s report is accepted if s/he is trustworthy in speech and trust” – this is correct, especially in places such as hotels.

93. If a traveller prays with an Imām who is a resident, then he should complete the prayer in full behind him. Then the traveller should stand alone or with other travellers that may be with him to pray the next prayer to be combined, and it is allowed for him to shorten the prayer.

94. If one prays in a ship then it is not required to face the Qiblah for the voluntary prayers. For the obligatory prayers then it is required to stand and perform rukū’ and sujūd in full and face the Qiblah. If the ship turns then the person should move accordingly to face the Qiblah as much as possible, if one is able then it is compulsory to do this; if one is unable then they do not have to stand – this is the Madhhab of the majority of the jurists.

95. The traveller praying the Sunan, such as the voluntary prayers, witr, Duha and Qiyām ul-Layl, is Sunnah. Leaving the Sunan prayer of the obligatory prayers, except for the Sunnah of Fajr, is also Sunnah.

96. Sitting for the Ishrāq after Salāt ul-Fajr, and the Salāh after it, is Sunnah for the traveller whether s/he is in a plane, hotel or elsewhere, whether prayed in congregation or alone. The Prophet (*sallAllāhu 'alayhi wasallam*) said: “*Whoever prays in congregation and then sits to remember Allāh until the sun rises and then prays two rakahs will get the reward of hajj and 'Umrah, complete, complete, complete.*”³²

97. What is better, to pray witr before travelling at the early part of the night with its full pillars or to delay it until after the end of the night? The issue depends on two matters, and it has

³² At-Tirmidhī, no.586; deemed hasan by Ibn Hajar in *Takbreej ul-Mishkāt*, vol.1, p.434 and al-Albānī in *Sabeeh ut-Tirmidhī*; see my book *Bughyat ul-Mushfāq fi Abkām Jalsat il-Ishrāq*.

been said “the person does whatever his heart feels is better” and purity of heart is of the greatest wisdoms and objectives in worshipping Allāh.

98. Whoever visits Makkah and is a traveller then he should pray much in the way of voluntary prayers as he does not have to pray the Sunan due to being a traveller, the traveller will get multiplied rewards [while praying at the Haram al-Makkī] so he should seize this opportunity and pray abundant Nawāfil.

99. If the time for prayer comes in while he is in his land and then wants to travel yet he has not yet left the buildings of his land, the concessions in the rulings for travel are not applied, as this only begins once one has left the buildings of their land. There is an Ijmā’ on this.

100. If one travels and leaves the buildings of his land after the time for prayer has come in, then he should shorten the prayer. If he enters his land after the time for prayer has come in

then he should complete the prayer in full, as the crux of the matter is in the time when the prayer is done and not when it has come in. This is the Madhhab of the majority of the jurists.

101. If the airport is outside of the land [from which the traveller is departing] then he should shorten his prayers while there if his flight is due to certainly depart, if he is waiting [for an extended time] then he should not shorten his prayers as the flight is not assured.

102. If the airport is within the land [from which the traveller is departing] then he should not shorten his prayers, whether the flight is certain or not, as he has not left the buildings of his land.

103. If the traveller shortens the obligatory prayers on the plane and the plane is still within the confines of his land, then he should repeat the prayers in full completion as he was not yet regarded as a traveller.

104. If the resident forgets to pray after it has become obligated in his land, yet did not pray them in his land and then remembers while he is travelling, yet its time has elapsed, he should make up the prayers and complete them in full. This is the Madhhab of the Four Imāms.

105. If the traveller forgets to pray while travelling and then remembers while he has arrived at his destination, and after its time has elapsed, he shortens his prayers and makes them up. This is the Madhhab of the majority of jurists.

106. If he remembers to pray as a traveller while travelling then he should shorten the prayers to be made up.

107. Multiple congregational prayers in one masjid at the same time is not legislated and is not known to have any basis from the actions of the Salaf.

108. The intention to shorten: it is not a condition for the prayer because it is the original

case, this was stated by a group of jurists. A number of issues derive from this topic, and it does not affect the intention to either complete the prayer in full or shorten it, according to the most accurate view. The issues are as follows:

- a. If the one following intends to complete the prayer in full but the Imām shortens the prayer, he should follow the Imām.
- b. If one intends to shorten the prayer yet the Imām behind whom he is praying completes the prayer in full, he has to follow the Imām and complete the prayer in full.
- c. If he enters the prayer and does not intend to shorten the prayers or to complete them in full, then he should pray two rak'at and this will be correct and valid whether he does so as an Imām or behind an Imām.
- d. If he is unsure if the one whom he is praying behind is a resident or a traveller, he then he has to pray as the Imām whom he is following.

e. If the traveller intends to complete the prayer in full, whether as an Imām or alone, and then remembers that he is a traveller then he shortens his prayer.

109. The four unit prayers are to be shortened, as for Salāt ul-Fajr and Maghrib, they are not to be shortened according to consensus.

110. If one prays Salāt ul-Maghrib with two raka't out of ignorance thinking that it can be shortened, the prayer is invalid and he has to repeat the prayer.

111. If a traveller intends to shorten his prayers, but forgets and gets up for a third rak'ah then he should go back and at the end pray Sajdat us-Sahw. This is the Madhhab of the majority of jurists.

112. If a traveller leads other travellers in prayer, but forgets and completes the prayer in full, the followers do not have to follow him and they can finish. If they follow him, their prayer is not invalid.

113. If a traveller intends to shorten his prayers but forgets and completes the prayer in full, the prayer is correct and valid, and he just needs to do Sajdat us-Sahw at the end.

114. If a traveller intends to shorten his prayers but forgets and during the prayer wants to change from shortening the prayer to completing the prayer in full – he can do that, as shortening the prayer is Sunnah.

115. It is Sunnah to recite lightly [i.e. not too lengthy] while praying as a traveller, and an Ijmā' has been relayed in this regard.

116. It is recommended for the traveller to recite Surat uz-Zalzalah at Salāt ul-Fajr and occasionally in every rak'at as relayed that Allāh's Messenger (*sallAllāhu 'alayhi wasallam*) used to recite “*idha zūlzilat*” in both rak'at.³³

³³ Abū Dāwūd, no.816 and deemed hasan by an-Nawawī in *Kbulāsat ul-Abkām*, no.1226.

117. Does the traveller have to pray in congregation in a Masjid? The traveller has two scenarios:

First: if the traveller hears the adhān while on the route it is not obligated to pray in a Masjid even if he had a reason to get out/down [if in a vehicle or on a riding beast], it would not be obligated on him to pray in congregation in a Masjid.

Second: if the traveller is staying in a land, then there is a difference of opinion. It has been said “the traveller has to pray in congregation in the Masjid if he is staying in the land to which he has travelled, whether alone or in congregation”. And it has been said: “if they are a group [travelling together] they do not have to pray in congregation in the Masjid, they just pray together [as travellers]. If the traveller is alone then he has to pray in congregation.” And it has been said: “it is absolutely not obligated on the

traveller to pray in congregation, as he is a traveller. If the prayer [in the Masjid] is light, such as its pillars, then it takes precedence for it to be wājib [for him to pray in the Masjid].”

A person has to be on guard in regards to his deen and not waste the reward to pray in congregation in the Masājid, especially those who are travelling to Makkah and Madeenah as the reward for praying in Makkah generally is multiplied, as well as in Masjid Nabawī.

118. Congregational prayer in a plane has a number of scenarios:

- a. If there is a space which is suitable for the complete prayer then they should pray there in congregation as much as the space allows.
- b. If there is more space in which to pray then it is correct and valid to complete the prayer in full with one Imām because a plane is often not that large. The most accurate view: connecting the rows is a condition and its main rule is governed by custom.

c. If the group want to pray and are on long journey wherein it is not possible for them to delay the prayer until they reach the destination land and combined them with *Jam' ut-Ta'kebeer* [combining two prayers after the prescribed time of the first prayer has elapsed] and it is not possible for them to pray except on seats, even if a person is alone, and it is not possible to pray standing with all pillars, then it is allowed for the group to pray in congregation seated next to each or some of them behind each other. Should the Imām be in the middle of them or should they be to the right of the Imām? It is better that they sit to the right of the Imām and not that he sits in the middle of them except if there is a dire need for that, so as to escape from any differing.

119. If there is a place which is sufficient for one person to pray in with full completion, rukū' and sujūd, then is it better for each traveller to pray or to pray in congregation? It has preceded

that the prayer in congregation is not obligated on the travelling wayfarer. If this is the case, and the issue revolves around both the rukun [pillar] of standing and the Sunnah of congregation, there is no doubt that the rukun [pillar] is given precedence.

120. The traveller does not do Tawarruk [sitting on the left posterior with the left foot under the right leg] except for Salāt ul-Maghrib, as Tawarruk is only performed for those prayers where there are two Tashahhuds, and the prayer of the traveller is shortened, but Salāt ul-Maghrib has two Tashahhuds.

121. It is permissible to travel to perform prayer over a dead person or to attend the burial, as travelling in this instance is not on account of a piece of land, be it a Masjid, grave or the likes, in which case it would be prohibited, except for the three Masājid. It is permitted to travel to visit relatives and brothers/sisters, also to travel to seek

knowledge – as the intent is not [to travel on account of] a specific piece of land.

122. Travelling with a Janāzah from country to country has a number of scenarios:

a. Transporting the dead body is wājib if not doing so will lead to it being dishonoured and at risk, such as the dead Muslim body in a land of disbelief and war with Muslims.

b. Transporting the dead body is impermissible if it leads to dishonouring of the body and putting it at risk, and the land in which he died is safe.

c. Transporting it to places which are not far, such as the villages that are around Makkah and Madeenah, and do not reach the distance of a journey is permissible, this is allowed.

d. Transportation without a dire necessity is an area of difference of opinion, it is safer as a precaution to not do so however.

Nine: Rulings for the Traveller Completing [the Prayer] in Full With a Resident and Vice-Versa

123. Prayer behind an Imām who is a resident is permissible, and the difference in intention is not a problem.

124. Is it correct to shorten the prayer behind an Imām who completes the prayer in full. There are two scenarios here:

- i. If the traveller catches the first payer or a rak'ah then he has to complete the prayer in full. This is the Madhhab of the majority of the jurists.
- ii. If the traveller catches a rak'ah then he should complete the prayer in full, this is the Madhhab of the majority of the jurists based on the Prophet (*sallAllāhu 'alayhi wasallam*)

saying: “*the Imām has been made to be followed.*”³⁴ Also Ibn Mas’ūd and the Sahābah (*radi Allāhu ’anhum*) completed the prayer in full behind ’Uthmān (*radi Allāhu ’anhu*) and it has not been transmitted from anyone that they shortened in such instances.³⁵

Benefit: Ibn Mas’ūd completed the prayer in full behind ’Uthmān (*radi Allāhu ’anhu*) in Makkah. When the Sahābah asked Ibn Mas’ūd about that he said: “Differing is evil.” This is a lesson for both the generality of the Ummah as well as individuals in their organisations, homes and interactions.

125. If a traveller catches the prayer behind an Imām who is completing the prayer in full, then his prayer becomes invalid (due to a reason which nullifies it) or he remembers that he is not

³⁴ Bukhārī, no.378 and Muslim, no.411.

³⁵ Abū Dāwūd, no.1960; authenticated by al-Albānī in *Saheeh Abi Dāwood*.

in a state of Tahārah, he should shorten the prayer if he returns and prays alone.

126. If a traveller catches the prayer behind an Imām, whom he thinks is a traveller and catches two rak'at behind him, and then it becomes apparent that the Imām is completing the prayer in full, he should also complete the prayer in full if the time is close. If the time has been lengthy then he should repeat the prayer with two rak'at.

127. Completing the prayer in full behind an Imam, even if the prayer between the Imām and those following is different, is permissible like the followers praying Salāt ul-Maghrib and the Imām is praying 'Īshā, as the different [rak'at and intentions] is not a problem, as in the case of Salāt ul-Khawf.³⁶

³⁶ **Translator's Note:** during Salāt ul-Khawf, the Imām splits the army into two groups. He leads a group with one rak'ah in congregation and then when he gets up to pray the second, those following behind pray by themselves, and then when they have finished they go to the location where the second group were facing off the

128. If the traveller catches the prayer behind an Imām who is also a traveller and praying Salāt ul-’Īshā, while the traveller following behind intends to pray Maghrib, then they catch the prayer behind the Imām and when he makes tasleem the traveller gets up to complete the third rak’ah. If the Imām is a resident, the follower [who is a traveller] sits and waits and makes tasleem with the Imām, this is better. If he makes tasleem, gets up and prays with him with the intent of praying ’Īshā, then that is permissible.

129. If the traveller enters a Masjid with the intent of praying Salāt ul-Īshā (two rak’at as he is a traveller) with an Imām who is also a traveller

enemy and the second group pray with the Imām who is standing for the second rak’ah. The Imām should make the second rak’ah longer than the first so that the second group can catch up with him. When he sits for Tashahhud, the second group should get up immediately to complete the remaining rak’ah and then catch up with the Imām for the Tashahhud. The Imām then makes the tasleem, with the second group following accordingly.

or a resident who is praying Salāt ul-Maghrib, he should complete the [Īshā] prayer in full as Salāt ul-Maghrib is not shortened. This is the Madhhab of the majority of the jurists.

130. If travellers and residents pray together, the one who takes priority to lead is the one who has memorised most of the Qur'ān, otherwise if it is a person in authority such as a prince, the Imām of the Masjid or the home owner then that takes precedence.

131. It is permitted for a resident to pray behind a traveller, and to then complete the rest after the Imām has made tasleem. This is the Ijmā' of the people of knowledge.

132. If a resident leads travellers in prayer and then leaves the prayer due to a valid excuse and then a traveller carries on leading in his place, he prays just two rak'at unless the Imām had already been praying more than two rak'at of a four unit prayer, in which case he should complete the prayer in full.

133. If a traveller leads residents in prayer and then leaves the prayer due to a valid excuse and then a resident carries on leading in his place, he completes the prayer in full with four rak'at.

134. If a traveller, or travellers, catch the prayer behind an Imām who is a resident and praying tarāweeh during Ramadān, then they have two scenarios:

First: if they are within their own land and country still, then they catch the prayer behind the Imām and pray what they have missed completely in full. When the Imām makes tasleem, they complete the rest.

Second: if they are within the country which they have travelled to, and they catch the prayer behind the Imām, they shorten what has been missed. They do not pray as a group by themselves so as not to cause confusion.

135. Prayer in a Masjid in which there is a grave, has a number of scenarios:

a. If the grave is outside the Masjid walls from the back, left or right, then prayer therein is valid. Unless the site was a grave and then the Masjid was built on it, then at which point it is not permissible to pray therein.

b. If the grave is outside the Masjid from the direction of the Qiblah and there is a partition, then it is permissible, like a wall, path or the like. It is not permissible for a person to intend to face in the grave's direction.

c. If the grave is located anywhere within the Masjid – it is not permissible to pray therein and the pray is invalid as the Prophet (*sallAllāhu 'alayhi wasallam*) said: “Beware as those before you took the graves of their Prophets and righteous people as Masājid. Do not take the graves as Masājid, I forbid you from that.”³⁷

A forbiddance necessitates nullification and invalidity.

³⁷ Saheeh Muslim, no.532.

d. If the grave is located in an open space of the Masjid [such as the courtyard] and it is surrounded by the Masjid walls – it is not permitted to pray in it. If it is covered with separate and independent walls then its ruling will be the same as that of the Masjid if prayed in. If it is not prayed in then the grave has no impact on the prayer in the Masjid.

136. Whoever prays in a Masjid and knows that there is a grave in it or in front of it without a partition has to repeat his prayer. If he does not know and then after that it becomes apparent to him that there was a grave in it, his prayer is valid and correct.

137. Prayer in a church is disliked if there are pictures and statues in it – this is the Madhhab of the majority of the jurists due to 'Umar (*radi Allāhu 'anhu*)³⁸ and Ibn 'Abbās (*radi Allāhu 'anhu*)³⁹ forbidding this.

³⁸ Saheeh Bukhārī, no.434.

³⁹ Reported by Ibn Abī Shaybah, hadeeth no.4867.

138. Prayer in a place which has a cross in the direction of the Qiblah should be avoided unless there is a valid excuse for that, or unless he is in place that, if he departs from, the time for the prayer will elapse.

Ten: Rulings for Combining the Prayer

139. The intention for *Jam' ut-Ta'kbeer* [Delayed Combining, combining two prayers after the prescribed time of the first prayer has elapsed] is a condition. One intends to delay when the time for the first prayer comes in - this is safer as a precaution.

140. Intention for *Jam' ut-Taqdeem* [Advance Combining, combining two prayers before the prescribed time of the second prayer has commenced] is not a condition, if the time for the first prayer has ended and then he wants to combine then it is permissible for him to do that – due to the lack of evidence for the requirement. This is the Madhhab of the majority of the jurists.

141. If the time for prayer comes in for the traveller yet he is still in his county, then as mentioned before it is not allowed for him to

either shorten or combine the prayer. Unless he fears that the time for the second prayer will elapse and that there is no way whatsoever that he will be able to pray it. In this case he should combine but not shorten.

142. It is permissible for a traveller to combine the prayers after departing from his country after the time of the prayer coming in, if the prayer is that which can have a prayer combined with it after.

143. The time to combine two prayers is from the time the first prayer has come in until the end of the time of the second prayer. It is not permitted to delay the two afternoon prayers [i.e. Dhuhr and 'Asr] till after the yellowing of the sun after 'Asr [before sunset], or the two night prayers [i.e. Maghrib and 'Īshā] until after the middle of the night.

144. Combining is between Dhuhr and 'Asr, Maghrib and 'Īshā, for both Delayed or Advance Combining. Fajr is not to be combined with any

other prayer, neither is 'Asr to be combined with Maghrib, nor 'Īshā with Fajr.

145. If one intends Delayed Combining and then enters his country but the time for the second prayer has not yet come in, he should not combine the second with the first, rather he should completely pray each prayer in its time in full even if the remaining time is not much. This is according to the agreement [of the scholars].

146. If one intends Delayed Combining and then enters the country to which he is travelling and there still remains a short time and the second prayer has come in, the following scenarios are before him:

One: if he is in other than a Masjid, then it is better for him to wait until the time for the second prayer comes in, and then he prays both together and combines and shortens. If he does pray, it is allowed.

Two: if he enters the Masjid after the adhān for the second prayer and before the iqāmah has been made, he prays the first shortened and then prays the second with the congregation.

Three: if he enters a Masjid and finds the people praying the second prayer, he prays with them with the intention of praying the first as explained before about the traveller completing the prayer in full behind an Imām who is a resident.

- i. If he intends Delayed Combining and then enters his country and the time for the second prayer has come in, he prays the first and the second completely due to the time of travel ending.
- ii. If the traveller going back to his land is able to arrive back and catch the prayer with the congregation and its time, or arrive back at his country before the time for the second has come in, it is allowed for him to shorten

and combine his prayers, before entering the county as he is still a traveller.

iii. The traveller who is a wayfarer on the route from one country to the other, is permitted to combine.

iv. The traveller who is staying at a place in another country is an issue where there is a difference of opinion. It has been said “it is permitted to combine” and it has also been said “it is not permitted to combine except out of dire necessity”. What is safer as a precaution and preferable is to not combine if there is not any difficulty or dire need. This is because combining in the Divine Legislation is due to a need and not merely due to travelling, unless there is a need to do so.

v. The *tarteeb* [correct sequence] between the prayers when making up prayers which have elapsed and combined is *wājib*. This is the *Madhhab* of the majority of the jurists.

- vi. The *tarteeb* is dropped between the prayers for combining if done out of forgetfulness, ignorance or fear that the time for the current prayer will elapse.
- vii. If the elapsed prayer, or the first prayer, is remembered he should pray the current prayer [which is already in]; or after finishing it, he can complete the current prayer and then make up the first.
- viii. The correct sequence is not dropped out of fear of prayer in congregation elapsing, as in most cases there will be other congregations after the first.
- ix. *Muwālah* [Continuity] in either Advance or Delayed Combining of the prayers is not a condition. The *Sunnah* is that the time between is not too long, so as to escape from any differing.
- x. The main defining rule is based on custom and habit.

- xi. If the traveller combines Maghrib with 'Īshā with Advance Combining, it is allowed for him to pray Witr after 'Īshā and he does not have to wait for the time for 'Eeshā to actually come in. This is the Madhhab of the majority of the jurists.
- xii. If 'Asr is combined with Dhuhur with Advance Combining he should not pray Nafl after it, as the forbiddance of praying after Salāt ul-'Asr is connected to the prayer and not time.
- xiii. If a person combines between two prayers, it takes precedence and it is better that he makes the adhkār of the first and then the second. If he suffices with the adhkār for the last then there is no harm in that as they are connected.
- xiv. Praying in a plane is of two types:
- xv. Nawāfil – these can be prayed standing or sitting, indicating rukū' and sajdah as

much as possible. It is better to face the Qiblah for the Takbeerat ul-Ihrām.

xvi. The Farā'idh, which has the following scenarios:

- a. If one is able to pray them before boarding or after landing one should so, with either Advance or Delayed Combining.
- b. If one boards the plane before the time for the prayers yet strongly thinks that the plane will not land until after the time of the first prayer, he should intend to pray with Delayed Combining, if he is combining.
- c. If one boards the plane before the time of the prayer and strongly thinks that the time for both prayers will elapse or that a prayer cannot be combined with another, such as Fajr for example, one should pray in the plane's Musalla if it has one, facing the Qiblah as much as possible. If he is unable then he should do so in the corridor, and if this is not possible then one should pray seated and indicate as much as

possible for rukū' and sujūd while seated. It is not permitted to delay the prayer from its time. If he is unable to pray standing, he should pray sitting.

xvii. The one praying should face the Qiblah for the Takbeerat ul-Ihrām and then pray towards the seat, unless he is unable to do so at which point it is not a necessity.

xviii. If the direction of the Qiblah changes as a result of the plane moving then he person should move accordingly, as much as possible. If that is not possible one should pray seated and the condition of facing the Qiblah is dropped in this instance.

Fourth: if there is a Musalla in the plane in which one can pray facing the Qiblah, and make full rukū' and sajdah, then he should pray therein even with adequate time [i.e. without rushing].

147. The traveller who has arrived in the land praying Nāfilah prayers in a car is allowed if he is facing the Qiblah as is obligated if he was praying while resident. This is agreed upon by scholars. If he is not facing the Qiblah then it is not permissible. This is the Madhhab of the majority of the jurists and is safer as a precaution in stopping at what was done by the Prophet (*sallAllāhu 'alayhi wasallam*).

148. The traveller praying Nāfilah prayers in a car while passing by other places on the route during the journey, and from land to land, is allowed.

Some Imāms of Islām Who Utilised Their Time Productively While Travelling

- ❖ Ibn Hajar authored *an-Nukhbab* while he was travelling.
- ❖ Ibn ul-Qayyim authored *Zād ul-Ma'ād*, *Miftāh Dār us-Sa'ādah*, *Badā'i ul-Fawā'id* and *Rawdat ul-Muhibbeen*, while he was travelling.
- ❖ The director of the office of the Noble Shaykh Bin Bāz said: “I accompanied the Shaykh from Tā'if to Riyadh by plane and I read to him some pages from *I'lām ul-Muwaqqi'een*. From the airport to his house I documented from him 17 pages about his efforts in da'wah in some different countries and he used to say ‘If the soul has delight, the body will not be tired.’”

Those Who Did Good Actions While Travelling

Those who do good expose themselves to many risks and dangers and spend out from their wealth, leave their countries and their children and spend days and weeks teaching people, calling people to Allāh, expending good, spreading the message of Islām to the world from the jungles and rainforests of Africa to the Caucasus mountains, from the Baltic to the Philippines, from the Balkans to Indonesia, and from the mountains of India to China; they do good with their manners, statements and actions, they do good with their families and friends during their travels. They do good with fulfilling needs, aiding those in difficulty, guiding the lost and confused, curing the sick and feeding the poor. May you have a portion of what good people do, and Allāh loves those who do good; what is better than doing good to others and who is greater than the good-doers!

Eleven: Rulings for Jumu'ah

149. Travelling on Jumu'ah before its time is permissible, yet it is not permissible after the time of Jumu'ah. This is the Madhhab of the majority of the jurists.

150. Salāt ul-Jumu'ah for the traveller covers five scenarios:

- i. If he is traversing and on route, he is not obligated [to pray it], an Ijmā' has been relayed on this.
- ii. If he is passing by a land while on route and stops for a reason and hears the adhān for Jumu'ah he does not have to pray the Jumu'ah.
- iii. If he is staying at a place in which Salāt ul-Jumu'ah is established and he hears the call to prayer, is Jumu'ah compulsory on him? It has been said "it is obligated" and it has also

iv. been said “it is not obligated”. What is safer as a precaution is that it is not left, so as to escape from any differing.

v. If he is staying at a place in which Salāt ul-Jumu’ah is not being established, and where the adhān cannot be heard, like one who is staying in a faraway place for an outing or the likes, then in such a case Jumu’ah is not obligated on him.

vi. Residents in lands of disbelief are obligated to pray Jumu’ah due to the general evidences regarding the obligation of Jumu’ah which they are also responsible to practice.

151. It is recommended for the traveller to make du’a within the last hour on Jumu’ah, combining between two reasons for the dua to be accepted: travel and Jumu’ah.

152. If the traveller prays with those praying Jumu’ah, then there are two scenarios:

i. That he intends to pray Jumu'ah, and this is better and safer as a precaution so that he gets the reward for Jumu'ah and escapes from any differing.

ii. That he intends to pray it and does so fully as a resident would.

153. Whoever establishes the Jumu'ah by themselves and pray it in a place where the Jumu'ah is not usually established, and they are travellers staying over, their prayer is not valid or correct and they have to pray again for Dhuhur.

154. If a traveller attends Jumu'ah and within the khutbah wants to leave he can do as it is not obligatory on him to attend.

155. It is valid and correct for a traveller to be an Imām for Jumu'ah, this is the Madhhab of the majority of the jurists.

156. A traveller making Tawaaf while the khutbah is taking place involves two matters:

i. If he is passing through Makkah and wants to enter the haram for Tawaaf while

the khutbah is taking place it is permissible for him to do with as the Jumu'ah is not obligatory on him.

ii. If he was staying over in Makkah and attended the Jumu'ah, then it is safer as a precaution to not make Tawaaf during the khutbah. This is due to the general evidences which highlight the obligation to listen to the khutbah. Tawaaf and movement take even more precedence in this regard as Tawaaf is establishing Allah's remembrance which involves speech and words.

157. Combining 'Asr with Jumu'ah is safer as a precaution to avoid in presumption of the continuity of the original rule, which is that there is no evidence that the two can be joined, and so as to flee from any differing.

158. If the Jumu'ah is not obligatory on the traveller, due to the traveller passing through or if he travels before the time for it has come in, or is in a place where the Jumu'ah is not

established – then it is allowed for him to pray Dhuhr and 'Asr by shortening and combining.

159. If the traveller catches less than a rak'ah of Jumu'ah prayer then he has to complete four rak'at of Dhuhr.

160. If the traveller enters his land on Jumu'ah and there remains a short time until the prayer then he has to pray it.

161. If the traveller prays dhuhhr on the day of Jumu'ah and then enters his land and he is able to catch the prayer then he has to pray it.

162. If a person travels on the day of Jumu'ah after the Zawaal, then finds a Masjid on the route in which Jumu'ah is prayed, then he should pray with them; if he does not find one then he makes istighfaar and tawbah and prays two rak'ahs for dhuhhr.

163. The traveller reciting Sūrat ul-Kahf on Jumu'ah is Mustahab [recommended], as reciting it is connected to the day and not to the prayer.

164. The traveller who does not have to pray Jumu'ah does not have to make Ghusl for Jumu'ah as Ghusl is connected to those upon whom Salaat ul-Jumu'ah has been obligated.

165. If the traveller prays Jumu'ah then he should pray the Sunnah with it that accompanies it.

166. The traveller selling on Jumu'ah after the second adhān has two aspects:

i. If all the sellers and buyers are travellers then selling is permissible, as they are not addressed to make haste to pray on that day [as they are travellers and have a valid excuse].

ii. If one of them is a traveller and the other is a resident, it is prohibited for the resident and disliked for the traveller due to involving assistance in sin and transgression.

Twelve: Regulations for 'Eid

167. The rulings for Salāt ul-'Eid for the traveller are as follows:

- a. The traveller who is passing by on the route does not have to pray it.
- b. The traveller who is staying in a place wherein Salāt ul-'Eid is established – it has been said “he has to pray it” and it has also been said “he does not have to pray it”, this is the Madhhab of the majority of the jurists.
- c. The traveller who is staying at a place wherein Salāt ul-'Eid is not established – it is not obligated on him to pray it.
- d. Muslims who are residents in the lands of the disbelievers have to pray Salāt ul-'Eid and make haste to pray it.

Thirteen: Regulations for Zakāt

168. Whoever Zakāt ul-Māl is obligated upon, and is a traveller, has to pay it if he has money with him and if not then he delays it until he returns to his land if his journey is short. Or he appoints someone to pay it on his behalf.

169. Whoever Zakāt ul-Fitr is obligated upon, and is a traveller, has to pay it in the country that he is in and his family pay it for themselves in their country. Whoever appoints his family to pay it on his behalf then this is also permissible. The first option is safer however as a precaution.

170. Whoever travels and gets lost and does not know his condition does not have to pay it. If he knows his situation after that then he has to make it up. If he is absent for just a short while and it is highly likely that he is still present then it should be paid on his behalf.

171. If a family member, who is not a wife, travels to study, visits someone or the like then does the person have to pay Zakāt themselves or does the parent pay it on their behalf? There are two scenarios here:

a. If the person is a dependent, then he pays it in the country that he is in, and if his father pays it for him where he is that is also permissible. The first option is more preferable.

b. If the person is not a dependent then he pays it in the land that he is in.

172. If a Muslim traveller does not know anyone who is deserving of Zakāt ul-Fitr then he appoints someone to pay it for him in his country.

Fourteen: Rulings for Fasting While Travelling

173. It is legislated to leave off fasting while travelling when there is difficulty and also permissible when there is not any difficulty. It is better for the one who finds no difficulty to fast – this is the Madhhab of the majority of the jurists. This is especially applicable for the one travelling to Makkah, it is better for such a person to fast due to the multiplied rewards.

174. It is better for the traveller on the day of 'Āshūrah and 'Arafah to not fast if there is any certain difficulty for them in fasting. If the difficulty is variable or if there is no difficulty at all then it is better to fast as those days cannot be made up.

175. If a person has to travel then it is not permitted for him to break the fast except when he passes by the last buildings of his land. This is the Madhhab of the majority of the jurists.

176. The traveller who is fasting during his travel is permitted to break the fast whether he is on route or when he arrives in the country to which he is travelling. This has been relayed from Allāh's Messenger (*sallAllāhu alayhi wassallam*).⁴⁰

177. Whoever travels and is fasting and then has intercourse before intending to break the fast, or before eating, can do that and there is no kaffārah [expiation] upon him.

178. If he has sexual intercourse while as a resident, and then travels, he has to make kaffārah for having sexual intercourse during the daylight hours of Ramadān. This is the Madhhab of the majority of the jurists.

179. If the traveller reaches the country to which he is travelling and is not fasting, he does not have to fast. However, if he does not make it public that he is not fasting so that people do

⁴⁰ Bukhārī, no.1948 and Muslim, no.1113.

not have bad thoughts about him - this is the Madhhab of the majority of the jurists.

180. If the traveller intends to fast and does not break his fast, when he enters his country and he is fasting, it is not allowed for him to break his fast. This is the Madhhab of the majority of the jurists.

181. Breaking the fast during travel does not stop the person from fasting consecutively as in the case of the kaffārah for manslaughter and for intercourse during the daylight hours of Ramadān.

182. Whoever experiences the sunset while at the airport in his country or elsewhere should break his fast. Then when the plane departs and he sees the sun, he does not have to fast.

183. If one boards the plane before the sun goes down by a few minutes and the daytime continues then he does not break his fast and pray Maghrib until the sun goes down where he is.

184. Whoever travels in a plane and his flight is certain, and the airport is outside of his land, he should break the fast and shorten his prayers after the flight takes off from his country. Then if the plane is delayed or the flight is cancelled on that day then the prayer is still valid and correct as is his breaking of the fast and he does not have to fast.

185. With respect to differences in regards to sighting the moon and its end, there are some scenarios in this regard:

a. Whoever travels from a country at the end of Sha'bān and the people are not fasting, then arrives at his own country and the people have sighted the moon and are fasting – then he has to fast with them.

b. Whoever travels from a country where the people have sighted the moon for Shawwāl and then arrives at his own country and the people have not yet sighted the moon, should not fast

as he has ceased fasting and then he makes up what remains of the fast in this case.

c. Whoever travels from a country and the people are fasting, and then arrives at his own country and the people are also fasting, then he should fast as long as he has not already completed thirty days. He should not fast 31 days as the month in this regard has completed.

d. Whoever fasts in a country and breaks his fast with them for 'Eid and had fasted 29 days, and then travels to his own country, faces the following scenarios:

- That his country and the country to which he is travelling the people have fasted 29 days then he will be rewarded for the 29 days.

- That the country in which he ended his fast and attended the 'Eid with them, and had fasted 29 days, while his own country fasted 30 days, whether he fasted days with his own country, or did not fast, will be rewarded for the 29 days

based on the country in which he ended his fast with.

- That both countries have fasted 30 days however he has fasted 29 days and broke on 'Eid within the country to which he travelled, as if his country fasted after the country to which he travelled, then in this case it is safer as a precaution to make up that day.

186. Whoever fasts as the people of his own country and then travels on the first day to another country where the people are not fasting and he remains there, then in such an instance the person faces the following scenarios:

a. If he remains in the country to which he has travelled, and prays 'Eid with them, and has fasted 29 days, then he has one day to make up.

b. If he remains in the country to which he travels, and prays 'Eid with them, and has fasted 30 days, yet still has the first day to make up, should he fast it? Which means he would have fasted 31 days, or is it dropped from him as the

month is 30 days? There has to be some contemplation on this case, it is safer as a precaution however for him to make it up.

187. Travelling to a Masjid for I'tikāf has a number of scenarios: if it is to the Haramayn and al-Aqsā then this is permissible, however if it is to anywhere else then the intent has to be looked into if it is for the Masjid or the site – in which case it is not permitted [to do I'tikāf at them]. If it is in order to pray behind an Imām who instils more fear of Allāh and tranquillity, or if there are some lessons of knowledge there and the like – then this is permissible.

Fifteen: Some Rulings for Visiting Makkah and Masjid al-Haram

188. It is not allowed for a disbeliever to enter Makkah, as Allāh Says:

“O you who have believed, indeed the polytheists are impure, so let them not approach Masjid al-Haram after this, their [final] year.” {*at-Tawbah (9): 28*}

189. It is allowed to enter Makkah without having to perform 'Umrah, and it is permitted to enter and just make Tawāf and pray.

190. Tahiyyat ul-Masjid il-Haram is two rak'at and whoever wants to make Tawāf then it is allowed and he can pray Tahiyyat ul-Masjid after that, the Tawāf will be in place of the Tahiyyat ul-Masjid.

191. Prayer is multiplied a hundred thousand times within Makkah, excluding al-Hill (areas outside of the Sacred Sanctuary), whether it is an obligatory prayer or a voluntary prayer. This is the Madhhab of the majority of the jurists. Except for other acts of worship which are also multiplied but they are not restricted.

192. Al-Wadā' [Farewell Tawāf] is not obligatory except for Hajj, as there is no evidence for that.

193. Neither hunting nor cutting down trees which grow without human involvement, is permitted. This is the Madhhab of the majority of the jurists. The same is for trees which bear edible fruit, siwāk trees or trees which contain beneficial cures.

Sixteen: Some Rulings for Hajj and 'Umrah⁴¹

194. How to make Ihrām for Hajj and 'Umrah in a plane:

- a. One should make ghusl at home, remain in one's usual clothes or if he wants wear the Ihrām.
- b. If the plane approaches the Mīqāt stations, he wears his Ihrām if he has not yet put it on.
- c. If the plane goes over the Mīqāt then the person should make the intention to begin the rites.
- d. If a person, as a safer precaution, makes Ihrām before passing by the Mīqāt stations out of fear of heedlessness or forgetfulness, this is allowed. This is the Madhhab of the Four Imāms.

⁴¹ For more on this refer to the book at-Tuhfah fī Ahkām il-'Umrah wa'l-Masjid il-Harām.

195. Whoever stops at Jeddah Airport after arriving from his country for Hajj or 'Umrah and has not made Ihrām yet at the airport at the Mīqāt, then he has to return back to the Meeqāt of his country and make Ihrām from there. If he is unable to go there, then he makes Ihrām in Jeddah and has to make fidya of a sheep which is sacrificed in Makkah and given to the poor there. This is the Madhhab of the Four Imāms.

196. The one travelling in a plane, if he intends to make Hajj or 'Umrah and passes by a Mīqāt station and forgets the Ihrām clothing, has to remove his garments and make it as a *ridā* [upper garment] around him and stay in his trousers until he lands. If that is difficult for him then he remains in his clothing and pays *fidya* [charitable expiation payment] for wearing a tailored garment, and if his head is covered he also makes another *fidya*; and he has to make haste to wear the *ridā'* [upper garment] and *izār* [lower garment].

197. The one travelling in a plane and wants to make Hajj or 'Umrah, yet falls asleep and does not wake up until after passing by the Mīqāt: then if he did not intend to enter into the rites then he goes back to the Mīqāt and makes his intention from there. This is agreed upon. If he is unable, then he goes out to al-Hill, outside of Makkah, makes Ihrām from there and then has to make fīdya by sacrificing a sheep in Makkah. Whoever intends to begin the rites before the Mīqāt, but did not wake up until after passing the Mīqāt, then his ihrām is valid and correct.

198. The way to make Ihrām for the one who is travelling by sea, is that when passing by a Mīqāt station, he makes Ihrām from there; if they do not pass by one then Ihrām should be made from Jeddah.

199. Whoever enters Makkah in a state of Ihrām it is not obligatory for him to make 'Umrah upon arrival.

200. Whoever travels from his country for work or any other reason and passes by a Mīqāt station, faces the following scenarios:

a. If he does not intend Hajj or 'Umrah, there is nothing upon him.

b. If he does not know that Hajj or 'Umrah will be facilitated for him, at that point it is not obligatory for him to make Ihrām from the Mīqāt. If after that he intends it then he makes Ihrām from the place in which he decided to make it from. If he decided whilst in Makkah then he should go out to al-Hill. If he decided outside of the Mīqāt stations, such as Jeddah and Buhrah, then he should make Ihrām from there.

c. If he passed by the Mīqāt and was sure that he was going to make Hajj or 'Umrah, after finishing work or before, yet he has not yet made Ihrām then if he wants to make Ihrām he has to go back to the Mīqāt. If he is unable to do that then he makes Ihrām from the place

where he is and makes fidya of sacrificing a sheep in Makkah. If he is in Makkah then he goes out to al-Hill and he has to pay fidya, sacrificing a sheep in Makkah.

i. If a woman passes by a Mīqāt station and is on her menstrual period, she faces three scenarios: If she passes by a Mīqāt while on her menstrual period and she strongly thinks that she will become pure when she arrives in Makkah, then she has to make Ihrām, enter Makkah and wait until she becomes pure; when she becomes pure then she makes 'Umrah.

ii. If she passes by a Mīqāt while on her menstrual period and she does not know if she will become pure in Makkah or depart from it before she becomes pure then she can make Ihrām and say: *Allahumma, in Habasani Hābis fa Mahallee Haythu Habastani.*

“O Allah, if anything holds me back, then my place is where You have held me.”

If she becomes fully pure she completes her 'Umrah and then if she wants to depart yet is not yet pure she can depart without making 'Umrah and there is nothing upon her.

iii. If she passes by a Mīqāt station while on her menstrual period and has not made Ihrām out of ignorance of where it was and she intends to make 'Umrah, and in Makkah she becomes pure and wants to make 'Umrah, she should return to the Mīqāt of her land. If she is unable to do that then she goes to al-Hill, makes Ihrām from there, then makes 'Umrah and sacrifices a sheep for the poor of the Haram.

201. The woman on her menstrual period can make Ihrām, there is no evidence otherwise.

202. Whoever wants to sacrifice while being a traveller can do so in the place in which he is in; or he appoints someone to sacrifice on his behalf in his country or elsewhere.

Seventeen: Rulings for Visiting the Prophet's Masjid

203. Travelling to visit the Prophet's Masjid at any time is Mustahabb [recommended] by the agreement of the jurists.

204. The ruling of travelling in order to visit the graves, including that of the Prophet (*sallAllāhu alayhi wassallam*), contains the following two matters:

i. If one intends to visit the just the grave – then this is impermissible, as the Prophet (*sallAllāhu alayhi wassallam*) said: “*Do not embark on a religious visit except to three Masājid.*”⁴²

ii. If one intends to a visit for two reasons together, to visit both the Masjid and the

⁴² Bukhārī, no.1189 and Muslim, no.1397.

grave, then if his intent is to arrive in Madeenah to visit the grave and give salāms then this is permissible. If his travel is merely for the grave and then the Masjid then this is impermissible.

205. Unauthentic Ahādeeth:

- *“Whoever makes hajj to the House and does not visit me has shunned me.”*

- *“Whoever visits my grave has obligated my intercession.”*

- All that has been relayed in this regard is fabricated and munkar, they are not authentic from the Prophet (*sallAllāhu alayhi wassallam*) as confirmed by a group of scholars of hadeeth.

206. It is not obligatory to remain in Madeenah for 40 prayers for the visit to be accepted and complete.

207. Nāfil prayers in the Rawdah is Mustahab. As for the obligatory prayers then being in the first row is better.

208. Visiting the grave of the Prophet (*sallAllāhu alayhi wassallam*) and his companions Abū Bakr and 'Umar (*radi Allāhu 'anhum*) if one reaches the Masjid is Mustahab, as is to give salāms to them and then to immediately depart. One should not stand there for a long time, raise one's voice and repeat the salām. It is also not permissible to make dua' for oneself or others at the grave hoping that it will be accepted or answered, or hoping for blessing, whether one faces the Qiblah or the grave while there. It is also not permissible to make dua' to Allāh's Messenger (*sallAllāhu alayhi wassallam*) or to seek dua' from him or to touch the grave.

209. Women visiting the graves is not permissible, as the Prophet (*sallAllāhu alayhi wassallam*) cursed the women who frequent the graves.⁴³ If a woman passes by the graves without intending to visit them specifically then there is no harm in her giving salām to them

⁴³ At-Tirmidhī, no. 1056 and he said it was hasan saheeh.

according to the most accurate view of the people of knowledge.

210. Does the visitor go the Prophet's grave each time he enters Masjid an-Nabawī? The visitor faces a number of scenarios:

a. Intending the grave whenever entering the Masjid is not legislated as it was not done by the Sahābah or the Tābi'een and if it was legislated they would have preceded us in doing it.

b. Prayers and giving salāms upon the Prophet (*sallAllāhu alayhi wassallam*) whenever one enters the Masjid is legislated, and this has been verified in the Sunnah.⁴⁴

c. Both the traveller and the resident if they enter Madeenah and go to the Masjid are legislated to visit the grave.

d. If one wants to travel from Madeenah and goes to the grave to give salām, then if he

⁴⁴ An-Nasā'ī, *Amal ul-Yawm wa'l-Laylah*, 90; al-Busayrī authenticated it in *Misbāh uz-Zujājah*, vol.1, p.97 as did al-Albānī in *Sabeeh ul-Kalim ut-Tayyib*.

intends by that to bid farewell, then this is an act of worship that needs evidence, and there is no evidence for that. If he merely intends to give salām then that is permissible.

211. Visiting Baqī' and the martyrs of Uhud is Mustahab, as it was done by the Prophet (*sallAllāhu alayhi wassallam*).⁴⁵

212. Visiting Masjid Qubā' and praying in it is Mustahab⁴⁶ and whoever does that has the reward of 'Umrah as relayed from the Prophet (*sallAllāhu alayhi wassallam*).⁴⁷

213. Does one pray two rak'at in Masjid Qubā' during the prohibited time? The matter depends on two issues. It has been relayed from Ibn 'Umar (*radi Allāhu 'anhu*) that he would not pray Duhā except on the day he went to Makkah or

⁴⁵ Muslim, no.974.

⁴⁶ Bukhārī, no.1194.

⁴⁷ At-Tirmidhī, no.324, and he said it is hasan saheh, and al-Hākim, no.4279 and he authenticated it as did adh-Dhahabī; Al-'Irāqī authenticated its isnad in *Takbreej ul-Ibyā*, vol.1, p.260.

to Masjid Qubā'. He used to go to it every Saturday and disliked departing from it until he prayed in it and he said: "I do as what my companions did in it, and I do not forbid anyone from praying in it at any time whether at night or day. But avoid prayer when the sun rises and sets."⁴⁸

214. It is at least two rak'at like the Sunnah for Duhā, it is no more than that.

215. Perform the Sunnah by performing the obligatory or voluntary prayer in Masjid Qubā'.

216. Visiting the seven Masājid: Masjid Qiblatayn, Ghumāmah, al-Fath and al-Ma'ras – is not something which has any evidence, rather it is an innovation if a person believes that they have any virtue.

217. Bequeathing one who is travelling to Madeenah to give salām to the Prophet (*sallAllāhu alayhi wassallam*) is not legislated as it has not been relayed that it was done by any of

⁴⁸ Bukhārī, nos.1191 and 1192.

the Prophet's companions or from any of the Salaf. It has been relayed from the Prophet (*sallAllāhu alayhi wassallam*) that he said: “Prayer upon me as your prayers will reach me wherever I am.”⁴⁹

218. A disbeliever entering Madeenah an-Nabawiyyah for a short residency is permissible, as for settlement and permanent residency then that is not permitted. This is agreed upon [by the scholars].

219. A disbeliever entering Masjid an-Nabawī is not permissible except if there is a need for that. This is the Madhhab of the majority of the jurists.

⁴⁹ Ahmad, no.8804 and Abū Dāwūd, no.2042; authenticated by Ibn Hajar in *al-Fath*, vol.6, p.488.

Eighteen: Issues Related to Marriage and Women

220. It is not allowed for a husband to be away from his wife on travel for a period that will be harmful for her, except with her permission. This is the Madhhab of the majority of the jurists. Husbands should be careful of being overly lax in this regard and fear Allāh in regards to their wives and children especially when we are living at times of tribulation and religious strangeness.

221. A husband does not need to gain permission from his wife if he wants to go on Hajj or 'Umrah, as obedience to Allāh takes precedence. Permission is a requirement for matters which are Mustahab, and not obligatory (such as Hajj), or for general types of travel which are allowed.

222. Marriage with the intent of divorce is prohibited, if a man intends this without making

it clear, whether the period is specified or not. It resembles Mut'ah and Tahleel both of which are harām according to consensus.

223. If a man who has more than one wife wants to travel for a matter which does not relate to any of them then he should take all of them and if he cannot he should cast lots among them. This is the Madhhab of the majority of the jurists.

224. If one of the wives wins the lots then the husband does not have to take her, and can travel alone.

225. If the wife who wins the lots refuses to go on the journey it is allowed for her to give the opportunity to another wife, with the condition that the husband is pleased with this. If he rejects she has to go with him as it is his right. If not she can stipulate at the start that she does not want to go.

226. If she refuses to go on the trip and the husband is okay with this, the lots can be cast again.

227. It is legislated and well-regarded in the Divine Legislation that a husband can remove one of the wives from the casting of lots and make this up with her with something else which they both agree upon.

228. If the lost are cast among them then it cannot be made up until the husband returns to his wife who did not travel. If she did not participate in the casting of lots he has to make it up to her.

229. How to divide [time] among the wives after the husband returns is through the following scenarios:

a. That his journey is after he had fulfilled the right [of staying with the wife whom he was supposed to spend the night], like if he travelled after Salāt ul-Fajr. If he does that then the right

[to the turn to spend the night with the husband] will be with one of his other wives.

b. That his journey is during the turn of one of his wives, as if he travelled at the beginning of the night, in which case he makes it up to her when he returns.

230. If the wife travels and then returns does the husband have to make up a night for her? He faces in this instance a number of scenarios:

a. That she travels without his permission, in which case there is no division for her as her doing that is a type of marital discord.

b. If she travels with his permission for his undertaking and need, then he has to make up the time for her.

c. That she travels with his permission for her own need such as Hajj, 'Umrah or the likes, then her right is dropped and he does not have to make it up as she travelled on her own volition.

d. That he travels with his wife for her need, then based on the views of the jurists on the

matter, if he returns, he does not have to make up the missed time for her, because it was due to her need [that he travelled] and he was with her [on her business].

231. It is prohibited for a woman to travel alone, whether the journey is long or short, by land or by air. So long as it is regarded as “a journey” according to custom, and the crux of the matter is in travel and not in the means of travel, as the Prophet (*sallAllāhu alayhi wassallam*) said: “*A woman should not travel except with a Mahram.*”⁵⁰

This forbiddance covers all women, young or old. This is the Madhhab of the majority of the jurists.

232. The conditions for a Mahram during travel are as follows: to be male, mature and intelligent.

⁵⁰ Bukhārī, no.1862 and Muslim, no.424.

233. A woman travelling during her 'Iddah period has the following instances:⁵¹

a. The woman who is in her 'Iddah period faces the following scenarios:

i. It is not permissible for a woman in mourning [al-Hād] to travel without due reason.

ii. If a woman goes on Hajj and her husband dies and she is on her way to Hajj, before she makes Ihrām she has to return. If she has already made Ihrām and performed the rites of Hajj she completes her Hajj and does not return, the same in the case of 'Umrah.

iii. A woman whose husband has died in another country and she is unable to stay there out of fear for herself, can travel to the

⁵¹ Refer to my book *Salwat ul-Fawā'id fī Ādāb wa Ahkām il-Hidād*.

land of her family and start her 'Iddah from there.

iv. A mourning woman travelling with her family, if their travel is for a need and if her remaining by herself will harm her, then it is allowed. If she travels for treatment then that is also allowed.

v. A mourning woman travelling for an outing without a need with her family is impermissible. If her family refuse to sit with her and she does not find anyone who can monitor her and if he remaining alone will harm her, then she can travel, and dire need is estimated by its amount.

b. The [irrevocably] divorced woman, who has been divorced with three pronouncements, or has sought Khula', then it is allowed for her to travel with the condition that she has a Mahram.

c. The [revocably] divorced woman, if she is in the home of her husband, then it is not allowed for her to go out except with his permission, as

her ruling is that of a wife. If she is not in the house of her husband and in the house of her family due to the discord between them, then she does not need his permission especially if the period of separation has been long and she has experienced harm from the husband, then she does not need his permission.

Nineteen: Some Monetary Issues

234. Transferring money from one country to another with different currencies, involves the following scenarios:

a. That one changes Saudi Riyals in KSA for example, with Dīnārs which he will then hold so as send to another country, this is permitted. This holding may also be legal via submission of the holding receipt which contains the reservation of the amount or a verified cheque in the currency of the country to which the transfer is being made.

b. To submit Saudi Riyals to a Bureau de Change in Saudi for example in the form of a guarantee and then the Bureau de Change will change it into Dīnārs without the client actually or legally holding these Dīnārs; the Bureau de Change will then guarantee the transfer of the

Dīnārs to the beneficiary in the other country. This is impermissible.

c. To send Saudi Riyals without changing them into another currency, to an agent in another country, such as Egypt for example, so that the agent there transfers the Riyāl into Egyptian Pounds with a transfer fee for being received on the day, then the agent submit the pounds to a beneficiary there; this is permissible.

235. A man who borrows money from another person in a specific currency and then wants to repay it in another currency. This is permissible with the following conditions:

- i. The repayment in the other currency was not conditional in the loan contract at the beginning.
- ii. That he repays it with the amount on the day of repayment.
- iii. That he repays the amount in full and does not split the repayments so that there is still something left for him to repay.

Twenty: Some Rulings for Staying at Hotels

236. In regards to the ruling on making a contract to book a hotel after the adhān and iqāmah on the day of Jumu'ah, then refer to the previous section on the rulings relayed to travelling on Jumu'ah.

237. In regards to the ruling on taking what has been put into the hotel room when one departs, this involves two scenarios:

- i. It is permissible to take those utensils which have been used for cleaning, also slippers, tissues, papers and pens, as some hotels include these items within their charges while some hotels regard these items as being part of a free service.
- ii. It is not permissible to take items such as carpets and measuring weights as they are not included within what was mentioned above.

238. It is permissible to eat from open buffets. If someone says “such buffets contain Jahālah [an unknown and unspecified aspect] for the buyer” then it should be said in response: “it is a slight Jahālah which does not harm and has some similar examples already within the Divine Legislation.”

239. Taking food from the hotel restaurant to outside of the hotel without the permission of the hotel management can be in the following scenarios:

a. Taking food that has already been prepared to eat.

b. Taking food from its place to eat it in one’s room or outside of the restaurant: are both of these cases permissible? What is closer to being correct is that the matter is connected to if this has been agreed with the hotel management, and Muslims should adhere to their agreements.

240. It is not permissible for one staying at a hotel to invite guests to eat at the buffet without them paying.

241. It is permissible for one staying at a hotel to have guests over as he possesses the right for that benefit, so long as that does not cause any harm or damage. If the hotel stipulates that guests are not allowed then it is good manners to fulfil this requirement, so as to escape from any fiqh differing.

242. It is permissible for guests of a person staying at a hotel utilising the hotel services which have been expended for the person staying. As for a guest using other services outside of this then this is impermissible without permission.

243. It is permissible to use hotel discount cards if they are free. If there is a charge for these cards then it is impermissible due to the Jahālah [unknown and unidentified element] and Gharar [risk].

244. It is impermissible for a man and woman to free-mix within lifts and escalators without anyone else with them as this is Khalwah [impermissible seclusion] which increases when a woman is by herself or when a man enters and there is a woman there, or a number of women.

245. It is not permissible for room service cleaners to enter a room where a woman is present by herself. This is also Khalwah.

246. It is not permissible to take items which have been placed in hotel room fridges and to replace the items with items of a lesser price without the hotel accounting for this. Because the sale here is in cash and not bartering.

247. In regards to giving hotel staff tips, then this may involve the following scenarios:

a. That the intent of this is to be distinguished for some extra services like water or cleaning outside of what the one staying should have, then in this case this is a form of bribery and impermissible.

b. That the intent of this is to show goodness and charity, especially upon departure, this is permissible.

248. Whenever hotel management accept the removal of prohibited items from their hotel rooms, such as intoxicants etc., they have to be removed as removing evil is obligatory. If the items are free, then they should be removed so long as this does not cause damage to the hotel.

249. It is impermissible for the one staying at a hotel to go to prohibited places within hotels such as bars, pubs and the likes.

250. The one staying at a hotel has to adhere to the conditions of the hotel so long as they do not oppose the Divine Legislation, as per the agreement.

251. The one staying at a hotel has to inform the hotel management of anything that affects him or those under his authority such as his family.

252. Hotel room keys have to be giving back to the hotel management upon leaving. Whoever forgets to give them back has to contact the hotel when he remembers and inform them.

253. The one staying at a hotel has to inform the hotel when he will leave, because if the booking out time expires some will be harmed by that. As a result, there is a benefit for all parties involved [in letting the hotel know when one will check-out]. It is also an escape from any fiqh differing.

254. Discounts for Legal Entities, has two scenarios:

- i. If the entity is a monitoring authority over the hotel then this is impermissible as it is bribery and a reason for favouritism and other corruptions.
- ii. If the entity has no monitoring authority over the hotel, then this is permissible. As the original basis for dealings is permissibility.

Twenty-One: Some Rulings Related to Muslim Minorities in Disbelieving Countries⁵²

255. Congratulating non-Muslims during general affairs such as marriage, success, etc. is permissible; as for if the disbeliever is one who fights against Islām then this is impermissible. If the congratulations are for disbelieving symbols such as non-Islamic celebrations, and attending them, this is also impermissible.

256. It is permissible to visit a sick non-Muslim, but not if the non-Muslim is one who fights against Islām. From Anas bin Mālik (*radi Allāhu 'anhu*) who said:

⁵² For more on this refer to my book *al-Ibti'āth Āmāl wa Alām wa Abkām*.

“A Jewish boy used to serve the Prophet (*sallAllāhu alayhi wassallam*) and became ill, so the Prophet went to visit him and sat by his head and said to him: ‘*Become Muslim.*’

The boy looked to his father and his father replied: ‘Obey Abu’l-Qāsim.’ The Prophet (*sallAllāhu alayhi wassallam*) left saying ‘*All praise is due to Allāh Who saved him from the fire.*’”⁵³

257. It is not permissible for a Muslim to bury a non-Muslim at a funeral, unless there is no one except for the Muslim.

258. It is permissible to give condolences to a non-Muslim, due to the lack of evidence otherwise. This is the Madhhab of the majority of the jurists. As for the Muhārib [disbeliever who fights against Islām] then it is not permissible, except if harm is feared.

259. Condolences are given to non-Muslims in ways which are appropriate and which do not contain supplicating for him for an increase in

⁵³ Bukhārī, no.1356.

wealth, lineage, power, forgiveness and mercy. One can say “may you have patience” and “condolences” etc.

260. It is not permissible to follow the funeral procession of a non-Muslim, unless it is for one’s father.

261. It is permissible to visit the grave of a non-Muslim, without conveying salām or supplicating.

262. It is not permissible to give a disbeliever Zakāt or what is due from vows and *Kaffārāt* [charity for the sake of expiation]. *Sadaqah* [general charity] is allowed.

263. If Zakat is given to a person thought to be a Muslim and then it becomes evident that the person is a disbeliever, then if he strives to find out the condition of the beneficiary and erred then that is allowed. If he did this without striving to find out the condition of the person whom he is giving to then this is not correct and it has to be returned.

264. Fasting in disbelieving countries which have Islamic centres and a credible moon-sighting procedure should be done according to their sighting process. If there are no credible moon-sighting procedures then one should follow the closest country which has Muslims and a credible moon-sighting system in place. If this cannot be found then the next closest Muslim country should be followed.

265. The way to fast in countries which have long days and nights is that if the country has a clear day and night then one should fast accordingly, so long as there is a day and night. If there is not a clear demarcation between day and night and the night-time lasts for months and then the daytime lasts for month, then one should look at the fasting times for the closest country which has a clear day and night and fast and break the fast accordingly as the Muslims do there.

266. Visiting a disbeliever in his home and the likes is allowed if one is assured from any tribulation and evil. It is recommended in cases where one hopes for the disbeliever's Islām or da'wah.

267. Giving non-Muslims gifts and accepting gifts from them for general matters, births, success, or the like- is allowed. If however it is for an impermissible matter then it is not allowed. Giving them gifts at their celebrations is also not allowed, but if they give Muslims gifts during their celebrations then this is allowed to accept them, so long as they do not contain anything that is harām.

268. Eating food that has been slaughtered by a disbeliever for their celebrations is impermissible.

269. Attending their gatherings and celebrations which include harām matters is not permissible.

270. A Muslim making *Tashmeet* [praying for guidance] for a disbeliever when s/he sneezes is permissible, based on what was reported by Abū Mūsā who said: “A Jewish man was sneezing and hoped for the Prophet to express mercy for him, the Prophet (*sallAllāhu alayhi wassallam*) said: ‘Say to them: May Allāh guide you and rectify your affairs.’”⁵⁴

271. Initiating the salām to disbelievers is impermissible, as for greeting them with “good morning” and the likes then this is allowed. If they initiate salām a Muslim should reply just with “wa ’alaykum as-salām.”

272. The ruling on eating food within lands of disbelief, this has the following scenarios:

- a. All types of fruit and vegetables are permissible, as are seeds and flour.
- b. All types of seafood are permissible.
- c. Food from animals, such as:

⁵⁴ Ahmad, no.19586 and at-Tirmidhī, no.2739 and he authenticated, as did an-Nawawī in *al-Adbkār*, p.344.

- i. That which has been slaughtered by a disbeliever who is not from the People of the Book, such as a Magian, animist, Hindu, atheist and the likes – this is harām.
- ii. That which has been slaughtered by the People of the Book, and this has a number of scenarios:
 - a) What is known to have been slaughtered in a Divinely Legislated manner and Allāh’s Name mentioned is permissible to eat.
 - b) What is known to have been slaughtered in a way which is not Divinely Legislated, is not permissible to eat. This is the Madhhab of the majority of the jurists.
 - c) That which is unknown in terms of its condition, was it slaughtered with Divinely Legislated *Tadhkiyyah* [where the blood has been made to flow and the jugular vein has been cut] or was Allāh’s Name mentioned or not? If not, then it is harām, as the basis is not to do *Tadhkiyyah Shar’iyyah*, and this is safer as a precaution.

iii. Meat which has been slaughtered by a disbelieving people whose condition is unknown, if they are from the People of the Book or not is prohibited in continuing by the original rule.

273. In regards to eating from the utensils from the disbelievers, then if it is known that the utensils are not used for anything Najas [impure] then it is allowed to use them. If however it is known that they are used for that which is Najas [impure], or most likely to be used for that which is impure, and no alternatives can be found, then they have to be washed and can then be used. If alternatives can be found then it is safer to use those.

274. In regards to eating at non-Muslim restaurants, then if they contain that which is harām, such as pork, alcohol and other prohibitions, then it is not permissible to eat at them. If one is in need [to eat at them] then it is allowed with the condition that one does not sit at a table at which alcohol is served.

275. In regards to urinating whilst standing at public urinals then this is allowed so long as no Najāsah [impurity] will touch one's clothes.

276. It is allowed for a Muslim to wash his clothes with the clothes of a disbeliever.

277. It is allowed to use the clothes of a disbeliever before they have been washed so long as they have not touched the 'Awrah, such as a t-shirt for example. If the clothes have touched the 'Awrah, such as trousers for example, then it is safer as a precaution to not wear them before they have been washed. If they have been washed then it is allowed.

278. There are two scenarios in regards to giving the Qur'ān to a non-Muslim:

i. It is not allowed to give the Qur'ān to a disbeliever as a disbeliever is impure and it is feared that it may be disrespected by them.

ii. It is allowed to give a translation of the meanings of the Qur'ān to a disbeliever for whom Islām is hoped.

Twenty-Two: Issues Related to Returning from Travel

279. It is Mustahab to make haste to return to one's family after one's needs [from the journey] have been fulfilled.

280. It is Mustahab to pray two rak'at when one arrives back from travel. If one finds the Masjid closed then he can pray them when he arrives home. It is allowed to pray at the forbidden times as they are prayed due to a reason. As for a woman praying them, then the matter depends.

281. It has been reported from the Prophet (*sallAllāhu alayhi wassallam*) that there is a forbiddance of a man returning back home to his family late at night⁵⁵ if he has been away for

⁵⁵ Bukhārī, no.1800 and Muslim, no.1928.

a long time. The prohibition is removed if he lets them know he is coming.

282. The Sunnah is that if a man returns from travel that his brothers come and give him salām. If he goes out on a journey they should bid him farewell and supplicate for him.

283. It is from the Sunnah to stand up to hug the one who has returned from a journey.

284. It is Mustahab to arrange a meal [Waleemah] for the one who has returned from a journey, if it is known that he is arriving.

Twenty-Three: On the Path to Da'wah⁵⁶

The dā'iyah [preacher] carries the da'wah to Allāh and teaches people via his presence, as it is his food, provision, water, drink, air and life; it is flesh, blood, bones and muscle, so due to that he should set out an academic and da'wah-based programme [during his travels] such as:

- i. Giving books, leaflets and audios of the trustworthy 'Ulama to travellers and placing them within Masājid on the route.
- ii. Travelling is an opportunity to give da'wah to children and teach them, by sitting with them for long periods of time.
- iii. Visiting relatives and friends and maintain the ties of kinship.

⁵⁶ For more on this refer to my book *Fath Āfāq li 'Amal il-Jād*.

- iv. Visiting students of knowledge, preachers and charitable and da'wah organisations so as to benefit from them, and to mutually cooperate in good, piety and taqwā.
- v. Going equipped with some books which will be needed during travel, and visiting bookshops and libraries.

Finally, we ask Allāh for beneficial knowledge, righteous action and blessing in our actions, lives, children and spouses. We also ask for purity of our hearts and souls and for victory and protection for Islām and the Muslims.

Written by,

Fahd bin Yahyā al-'Ammārī

Judge at the Makkah Court of Appeal

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