

وَدَلِيلُ الْحَجِّ: ﴿وَلِلَّهِ عَلَى النَّاسِ حُجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا وَمَنْ كَفَرَ فَإِنَّ اللَّهَ غَنِيٌّ عَنِ الْعَالَمِينَ﴾ (١٧) آل عمران: ٩٧

And the proof for the Hajj is:

**And Hajj to Allaah's Sacred House is an obligatory duty that is owed to Allaah by those who have the ability to make their way there. And whoever rejects the obligation of the Hajj, then Allaah has no need of him or any of the creation. [3:97]<sup>[41]</sup>**

[41] The Jews claimed that they were Muslims and that they were upon the religion of Ibraaheem, so Allaah the Majestic and Most High tested them in this *ayah*, and He said:

﴿وَلِلَّهِ عَلَى النَّاسِ حُجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا وَمَنْ كَفَرَ فَإِنَّ اللَّهَ غَنِيٌّ عَنِ الْعَالَمِينَ﴾ (١٧) آل عمران: ٩٧

**And Hajj to Allaah's Sacred House is an obligatory duty that is owed to Allaah by those who have the ability to make their way there. And whoever rejects the obligation of the Hajj, then Allaah has no need of him or any of the creation. [3:97]**

Therefore, if you are Muslims, then perform the Hajj, because Allaah has made the Hajj to the Sacred House obligatory upon the Muslims, if you do not perform it, and you refuse to perform it, then this is a proof that you are not Muslims, and you are not upon the religious way of Ibraaheem:

﴿وَمَنْ كَفَرَ فَإِنَّ اللَّهَ غَنِيٌّ عَنِ الْعَالَمِينَ﴾ (١٧) آل عمران: ٩٧

**And whoever rejects the obligation of the Hajj, then Allaah has no need of him or any of the creation. [3:97]**

﴿وَلِلَّهِ﴾: Meaning: this is an obligation, a rite, and a binding duty which is due for Allaah, the Perfect and Most High from mankind.

﴿حُجُّ﴾: Its meaning in the language is *al-qasd* (to head towards an intended goal). And the word Hajj in the legislation is to head towards the honourable Ka`bah and the Sacred sites (of pilgrimage) at a particular time, and to carry out specific acts of worship and they are the rites of the Hajj.

﴿حُجُّ الْبَيْتِ﴾: Meaning: the Ka`bah and whatever is round about it from the sites of pilgrimage which follow on from it.

﴿مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا﴾: This explains the condition being obligatory, and it is bodily and monetary capability; bodily capability such that he is able to work, ride, and move from his land to Makkah from whatever place he is in upon the earth. This is the bodily capability. It excludes the person who is

permanently unable, such as a person with an illness which persists, the feeble old person, and such a one who does not have the bodily ability. But if he has monetary capability, then he should deputize someone to perform the Hajj on his behalf, the obligatory Hajj of Islaam.

As for monetary capability, then it is having the transport necessary to carry him, the riding animal, the plane, or the ship, each as is appropriate to the time; and that he has wealth which is sufficient for him to seek transport to convey him for the performance of the Hajj; and also, that he has provision and money for the journey, going and returning; and for his dependence, such that they will have sufficient funds until he returns to them. So, provision means that he has sufficient funds to suffice him upon his journey, and to suffice his dependents; his children, his parents, his wife, and everyone it is obligatory to spend upon; that he gives them that which will suffice them until he gets back to them, after securing guarantees for the payments of any debts which are upon him.

So this wealth is surplus, remaining after his debts have been dealt with. So, if this is available, then this will be his ability to make his way there, "provision and transport"<sup>1</sup> as occurs in the hadeeth of Ibn `Abbaas radiyallaahu `anhumaa.

And whoever does not have the ability, meaning: he does not have the provision nor the transport, then the Hajj is not upon him, because he does not have the ability to do it. So the condition for the Hajj being obligatory is ability.

Since the people come to the Hajj from far away, from all the regions of the earth, and every distant place, and it requires spending, and involves some difficulty and toil, and it may bring about dangerous situations, then from the Mercy of Allaah is that He made it binding only once in a lifetime. And whatever is in addition to that is supererogatory. This is from the Mercy of Allaah the Perfect and Most High, that He did not make it obligatory upon the Muslim every year just as the Prophet sallallaahu `alaibivasallam said:

« إن الله فرض عليكم الحج فحجوا ، قال الأقرع بن حابس - رضى الله عنه - أكل سنة يا رسول الله ؟ فسكت عنه الرسول عليه وسلم ثم أعاد السؤال ، فسكت عنه النبي عليه وسلم ثم أعاد السؤال ، فقال النبي عليه وسلم « لو قلت نعم لوجبت ، ولما استطعتم ، الحج مرة واحدة ، فما زاد فهو تطوع »

«Allaah has made the Hajj obligatory upon you, so perform the Hajj» Al-Aqra` bin Haabis radiyallaahu `anhu said: Is it every year O Messenger of Allaah? So the Messenger sallallaahu `alaibivasallam remained silent. Then he repeated the question, and the Prophet sallallaahu `alaibivasallam remained silent. And then he repeated the question again, and the Prophet sallallaahu `alaibivasallam said: «If I were to say yes, it would become obligatory and you would not be able to do it. The Hajj is a single time, and whatever is in addition, then it supererogatory.»<sup>2</sup>

And His saying, He the Most Perfect:

<sup>1</sup> Reported by at-Tirmidhee (813), Ibn Maajah (2896) from a hadeeth of `Umar radiyallaahu `anhumaa, and reported by Ibn Maajah (2897) from a hadeeth of Ibn `Abbaas. [In Irnaa ul-Ghaleel, Shaykh al-Albaanee comments upon these ahadeeth and a number of similar ahadeeth, and judges all these narrations tracing back to the Prophet sallallaahu `alaibivasallam) to be extremely weak and not authentic upon him sallallaahu `alaibivasallam].

<sup>2</sup> Reported by Imaam Ahmad in his Musnad 4/151, Aboo Daawood (1721) and an-Nasaa`i 5/111 from a hadeeth of Ibn `Abbaas radiyallaahu `anhumaa. [Shaykh al-Albaanee declared this hadeeth as authentic].

﴿ وَمَنْ كَفَرَ فَإِنَّ اللَّهَ غَنِيٌّ عَنِ الْعَالَمِينَ ﴾

**And whoever rejects the obligation of the Hajj, then Allaah has no need of him or any of the creation. [3:97]**

It contains a proof that whoever refuses to perform the Hajj and he is able to, and he does not perform the Hajj, then he is a disbeliever, because Allaah said: «**whoever rejects**» meaning: whoever refuses to perform the Hajj when he is able to perform it, then he has committed *kufr*. [This *kufr*] may be *kufr asghar* (lesser *kufr*), but whoever abandons it whilst denying its obligation, then this is *kufr akbar* (major *kufr*) by consensus of the Muslims. As for a person who acknowledges its obligation, but abandons it out of laziness, then this is lesser *kufr*. However, if the person dies and he has wealth, then someone should perform the Hajj on his behalf using money which he has left behind, because it is the debt of Allaah, the Mighty and Majestic, upon him. And this *ayah* shows the obligation of performing Hajj, it is a pillar from the pillars of Islaam. The Messenger of Allaah *sallallaahu`alaibivasallam* explained that it is a pillar from the pillars of Islaam in the *hadeeth* of Jibreel<sup>3</sup> and in the *hadeeth* of Ibn `Umar.<sup>4</sup>

The Hajj was made obligatory in the nine year [after the *Hijrah*] upon one saying, and the Prophet *sallallaahu`alaibivasallam* did not perform the Hajj in that year, rather he performed the Hajj in the year after it, in the tenth year. Why is this? This is because, he *sallallaahu`alaibivasallam*.

أرسل عليا ينادي في الناس في الموسم : «أن لا يحج بعد هذا العام مشرك ، ولا يطوف بالبيت عريان»

sent `Alee to call out to the people in the pilgrimage: «**No person of *shirk* may perform Hajj after this year, and no naked person may perform *tawaaf* around the House.**»<sup>5</sup>

So when the people of *shirk* and the naked people were prevented from the Hajj in the tenth year, the Prophet *sallallaahu`alaibivasallam* performed the Hajj, the Farewell Hajj.

<sup>3</sup> Reported by al-Bukhaaree (50) and Muslim (9,10) from a *hadeeth* of Aboo Hurayrah *radhiyallaahu`anh*.

<sup>4</sup> Reported by al-Bukhaaree (8) and Muslim (16) from a *hadeeth* of Ibn `Umar *radhiyallaahu`anh*.

<sup>5</sup> Reported by al-Bukhaaree (369) and Muslim (1347) from a *hadeeth* of Aboo Hurayrah *radhiyallaahu`anh*.

## The Second Level is *Eemaan*

المرتبة الثانية : الإيمان : وهو بضع وسبعون شعبة ، فأعلاها قول : لا إله إلا الله ، وأدناها إمطة الأذى عن الطريق ، والحياء شعبة من الإيمان.

The second level is *al-Eemaan* (true faith) and it has seventy and odd branches, its highest of them is the saying of *Laa ilaaha illaAllaah* and the lowest of them is removal of that which is harmful from the path; and *al-hayaa* (a sense of shame) is a branch of *eemaan*.<sup>[42]</sup>

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[42] *Eemaan* is more inclusive than *Islaam*, so every believer is a Muslim, but not every Muslim is a believer. So *eemaan* is more inclusive with respect to itself, and it is more specific with regard to its people.

*Eemaan* in the language is *at-tasdeeq* (to attest with the heart). He the Most High, said upon the tongue of the brothers of Yoosuf:

﴿ وَمَا أَنْتَ بِمُؤْمِنٍ لَّنَا ﴾ يوسف: ١٧

Meaning: you won't believe us.

As for [the meaning of] *eemaan* in the legislation, then it is as explained by the people of the *Sunnah* and *Jama`ah*: Speech of the tongue, belief of the heart, and action of the limbs. It increases with obedience, and it decreases through sin.

It is with this explanation, a reality relating to the legislation, because realities are three: a reality which relates to the language, a reality with regards to the legislation, and a reality relating to people's custom.

So the explanation of *eemaan* with this explanation is a reality relating to the legislation. So, *eemaan* moves from the meaning in language to the meaning in Islaamic legislation.

So, *eemaan* is: speech upon the tongue - there has to be speech and acknowledgment with the tongue. And it is belief in the heart, when a person speaks upon his tongue, he must be believing it in his heart, otherwise he will be just like the hypocrites, those who:

﴿ يَقُولُونَ بِأَلْسِنَتِهِمْ مَا لَيْسَ فِي قُلُوبِهِمْ ﴾ الفتح: ١١

**They say with their tongues that which is not in their hearts. [48:11]**

And speech upon the tongue, and belief in the heart will not suffice, rather there must be action on the limbs also, and carrying out the obligatory duties is essential, and avoiding the prohibitions. So the person does the acts of obedience and he avoids the forbidden acts, all of this is from *eemaan*. With this definition, it comprises the whole of the religion. However, these acts of obedience and these many legislated duties, some of them are a part of the reality of *eemaan*, and some of them are things which are a completion of *eemaan*.

*Eemaan* has pillars and branches, and the Prophet *sallallaahu`alaibinwasallam* explained them in two *hadeeth*. He explained the *arkaan* (pillars) of *eemaan* in the *hadeeth* of Jibreel, and he explained the branches of *eemaan* in the *hadeeth* of «**Eemaan is seventy and odd branches**». This will follow in *shaa. Allaah*.

*Eemaan* and *Islaam*, if they are mentioned together, then each of them has its own meaning. When only one of them is mentioned, then it enters along with the other. If they are mentioned together, then *Islaam* is explained to be the outward actions, and they are the five pillars of *Islaam*, and *eemaan* is explained to be the inward actions which are the six pillars, and their places are in the heart. All of these must be found together in a Muslim. The Muslim must be one who has *eemaan* and who establishes the pillars of *Islaam* and the pillars of *eemaan* - he must gather all of them.

He *sallallaahu`alaibivasallam* said:

«الإيمان بضع وسبعون شعبة ، أو بضع وستون شعبة»

«***Eemaan* is of seventy and odd branches, or sixty and odd branches.**» There are two narrations.<sup>6</sup>

His saying «**odd**»: it is a number between three and nine. So if it is said: «ten and odd,» then it means a number between thirteen until nineteen, and if it is said «odd» on its own, then it means something between three and nine.

His saying «**branches**»: a branch is a part of the thing, meaning that the pillars have seventy and odd parts or sections.

His saying «**the highest one of them**»: meaning: the highest of the branches is the saying *Laa ilaaha illa Allaah*. It is the head of *Islaam* and it is the head of *eemaan*, it is the first pillar, and it is the entry point of the religion.

His saying «**the lowest one of them**»: meaning: the last of them and the least one of them.

His saying «**removing that which is harmful from the path**»: meaning: removing that which is harmful from the path which is walked upon. And «**that which is harmful**» is everything which causes harm to the people, whether it be thorns, rocks, filthy things or refuse, everything which causes harm to people upon their path. And placing that which is harmful upon their path is forbidden, because the path is for those who wish to precede upon it, and harm impedes those who want to proceed, or puts them in danger, such as stopping his car upon the road, this is from causing harm - and letting water flow out from the house unto the path, this is from harm - and putting rubbish upon the pathway, this is from causing harm, whether it be upon the road, the town, or in the countryside - placing a rock, pieces of timber, iron upon the pathways of the people, digging holes in the roads of the people - all of this is from causing harm. So if a Muslim comes and removes this harm, and clears the path of it, then this is a proof for his *eemaan*. So, placing that which is harmful upon the path is from the branches of *kufr*, and removing harm from the path is from the branches of *eemaan*.

His saying «***al-hayaa* (true sense of shame is a branch of *eemaan*)**»: *al-hayaa* is a characteristic which Allaah places in a person which leads him to carry out whatever will beautify and adorn him; and which prevents him from things which will contaminate and disfigure him. And *al-hayaa* which leads a person to perform that which is good, and to withhold from that which is evil is praiseworthy. As for shame or shyness which prevents a person from doing something good, from seeking knowledge, and from asking about things which are a problem to his understanding, then this is blameworthy shyness. This is because it is blameworthy embarrassment.

And the pillars of *eemaan* are many as you have come to know there are seventy and odd. *Al-Imaam* al-Bayhaqee wrote a large work in which he mentioned the branches of *eemaan*, it has an abridgment which has been printed.

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<sup>6</sup> Reported by al-Bukhaaree (9) with the wording «sixty and odd» and Muslim (35) with both wordings from a *hadeeth* of Aboo Hurayrah *radiyallaahu`anh*.

From the proofs of the scholars that *eemaan* is speech upon the tongue, belief in the heart and action on the limbs is his saying *sallallaahu`alaibivasallam*.

«أعلاها لا إله إلا الله»

«**The highest of them is none has the right to be worshipped except Allaah.**» This is a proof for sayings. And his saying *sallallaahu`alaibivasallam*.

«أدناها إمطة الأذى عن الطريق»

«**And removal of that which is harmful from the path**» is an action. It proves that actions are from *eemaan*. And his saying *sallallaahu`alaibivasallam*.

«الحياء شعبة من الإيمان»

«**al-hayaa is a branch from eemaan.**» This is something in the heart, *al-hayaa* is in the heart. This is a proof that *eemaan* is sayings upon the tongue, belief in the heart, and actions upon the limbs.