

Q: 3 – Title: I need to know whether there can be a concession for a female wanting to go for Hajj, my sister in law is a widow.

Question

I need to know whether there can be a concession for a female wanting to go for Hajj, my sister in law is a widow. Her 2 sisters intend going for hajj this year (2007) with their husbands and the sister would like to join them. Her father is unable to join them and she wants to know if there can be any concession for her as Hajj has become Fardh on her but has no Mahram. Please advise

Answer

In the name of Allah, Most Gracious, Most Merciful

Assalaamu `alaykum waRahmatullahi Wabarakatoh

In Shariah, a woman is not allowed to take a journey of three days length without her being accompanied by her husband or mahram. Imam Muslim in his Sahih narrates:

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Abu Saeed narrates that Rasullah (Sallallahu Alaihi Wasallam) said, “It is not permissible for a woman who bring Imaan and Allah and the Day of Judgment that she take a journey of three

day's length or greater, except that with her is her father, or her son, or her husband, or her brother, or one of her (other) mahram.

If a woman has the financial means to perform Hajj, then Hajj will become compulsory upon her. For that she will require a mahram. If she does not have a mahram, the execution of Hajj will be delayed until she has a mahram. If she does not have a mahram until death, she will have to make wasiyyat for her Hajj. Hajj is an act of worship in which a person's sins are washed off. It would defeat the purpose to undergo a haram act to do Hajj.

Al-Dar Al-Qutni narrates:

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It is narrated on the authority of Ibn Abbas that Rasullah (Sallallahu Alaihi Wasallam) has said, "A women must not perform Hajj except that with her is a mahram."

Fatawa Qazi Khan (1:283) Maktaba Rashediya
Rad Al-Muhtar (2:464) H.M. Saeed Company
Fatawa Mahmoodia (13:166) Maktaba Mahmoodia
Fatawa Raheemiya (8:307) Dar Al-Ishaat

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And Allah knows best
Wassalam
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