

A Non-Muslim Entering the Boundaries of the Haram

Q: Ilm-18: What do the Ulema of Deen and the Muftis have to say about a non-Muslim entering the boundaries of the Haram (Makkah)? What will be the ruling if King Faizel has any non-Muslim visitors or if he has to invite any of them within the Haram? Please elaborate from the Qur'aan and Ahadeeth.

Answer: Allaah declares in the Qur'aan: "O you who have Imaan! Verily the Mushrikeen are (spiritually) impure (because they practise Shirk) and should not approach the Masjidul Haraam (should not enter the Haram) after this year (9 A.H).

This proclamation was made in the year 9 A.H. and although majority of the Ulema state that the impurity referred to is not physical, some like Hadhrat Abdullaah bin Abbaas RADI. states that it is physical and Hadhrat Hasan RAH. says that one should wash one's hands after shaking theirs. Therefore, just like an impure Muslim cannot touch the Qur'aan or enter a Masjid, they also cannot do this.

The Shafi'ee school of jurisprudence is of the opinion that the Kuffaar cannot enter only the Masjidul Haraam, but may enter any other Masjid. On the other hand, the Maakili school of jurisprudence says that they cannot enter any Masjid.

The Hanafi school of jurisprudence maintains that the impurity is within the hearts of the Kuffaar because of their beliefs because had the verse been referring to physical impurity, Rasulullaah SAW. would not have kept Hadhrat Thumaamah bin Uthaal RADI. to a pillar in the Masjid before he became a Muslim. Likewise, Rasulullaah SAW. would never have allowed the delegation from Najraan and from Thaqeef to stay in the Masjid. These incidents explain that the verse really refers to internal impurity and not external impurity. It will therefore be permissible to allow the Kuffaar into the Haram, the Masjidul Haraam and any Masjid. Nevertheless, the Kuffaar will still not be allowed within the boundaries of the Haram for Hajj, Tawaaf or to take up residence because of the impurity of their beliefs.

The gist of it all is that Kuffaar will not be allowed within the confines of the Haram without some Deeni or other necessity because of the apparent meaning of the verse and because of the difference of opinion between the Ulema. The king will however be allowed to permit a non-Muslim into the Haram for a while for some Deeni or political objective.

For your further peace of mind, we will quote from Bayaanul Qur'aan: "All are unanimous about the fact that the Kuffaar and Ahlul Kitaab fall into the category of the Mushrikeen and to substantiate it, a narration quoted in Durrul Mukhtaar tells that Hadhrat Jibra'eel ALY. likened the hand of the Jews to that of the Mushrikeen. The impurity referred to in the verse refers to internal impurity and not external and physical impurity. The Sunan of Abu Dawood quotes a narration stating that Rasulullaah SAW. allowed the delegation from the Thaqeef to stay in the Masjid whereas they were Mushrikeen. The instruction "and should not approach the Masjidul Haraam" is qualified by the reason "Verily the Mushrikeen are impure". They therefore

have no reason to be in a pure and hallowed place when their inner selves are impure. The words Masjidul Haraam refers to the entire Haram of Makkah, as substantiated by a narration of Hadhrat Ataa RAH. as quoted in Durrul Manthoor. Authentic Ahadeeth also prove that the entire Arabian peninsula is implied. Jews and Christians are also included in this ruling. The relevant Ahadeeth are quoted in Durrul Manthoor and the books of Ahadeeth. Therefore, according to the bequest of Rasulullaah SAW. Hadhrat Umar RADI. had the instruction enforced throughout the Arabian Peninsula during his period of Khilaafah. According to the Hanafi school of jurisprudence, entering the Haram refers to taking up residence there. There is therefore no harm done in allowing the Kuffaar in on a temporary basis if need be. This is substantiated by the interpretation of the verse "They should not enter there unless in fear" as well as by the explanation of Hadhrat Qataadah RADI. when he said, 'No Mushrik could therefore enter after that year unless he paid the Jizyah or was a slave of a Muslim (Durr). Since it is permissible for them to enter the Haram, it is also permissible to enter the Masjidul Haraam. The Kuffaar will however not be allowed in for Hajj or Umrah because of a Hadith that states: 'Take note! No Mushrik should ever perform Hajj after this year. And Allaah knows best what is most correct.

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