

205161 - Hastening to depart from Mina

the question

I heard that stoning the Jamaraat on the thirteenth of Dhu'l-Hijjah is voluntary and is not compulsory, and we may leave Makkah after stoning the Jamaraat on the twelfth, and that we do not have to stay in Mina for all the days of at-Tashreeq.

Is this correct?

Detailed answer

It is permissible for the pilgrim to hasten to leave on the second of the days of stoning the Jamaraat, because Allah, may He be exalted, says (interpretation of the meaning): "But whosoever hastens to leave in two days, there is no sin on him and whosoever stays on, there is no sin on him, if his aim is to do good and obey Allah (fear Him)" [al-Baqarah 2:203]. The condition of it being permissible, according to the majority – the Maaliki, Shaafa'is and Hanbali – is that the pilgrim should leave Mina after stoning the Jamaraat and before sunset. In that case the obligation of stoning the Jamaraat on the third of the days of at-Tashreeq is waived for him. But if he does not depart before sunset, he must stay overnight in Mina and stone the Jamaraat on the third of the days of at-Tashreeq. It is proven that 'Umar (may Allah be pleased with him) said: If the sun sets and a person is still in Mina, he may not depart until he stones the Jamaraat on the following day. The scholars of the Standing Committee said:

The period that the pilgrim must spend in Mina after the Day of Sacrifice is two days, namely the eleventh and twelfth of Dhu'l-Hijjah. As for the thirteenth of Dhu'l-Hijjah, it is not obligatory for the pilgrim to spend it in Mina, and it is not obligatory for him to stone the Jamaraat on that day; rather that is only recommended, unless he is still in Mina when the sun sets on the twelfth, in which case he must stay overnight in Mina and stone the three Jamaraat after the sun has passed the zenith.

With regard to the meaning of what is mentioned in the verse, if a person hastens to leave Mina after spending two nights there following the Day of Sacrifice, and after stoning the three Jamarat on the eleventh and twelfth days, there is no sin on him and he does not have to offer a compensatory sacrifice, because he has done what was required of him. And if a person remains in Mina and spends the night before the thirteenth day there, and stones the three Jamarat on the thirteenth day, there is no sin on him; rather his spending that night in Mina and stoning the three Jamarat on that day is better and will bring a greater reward, because the Prophet (blessings and peace of Allah be upon him) did that. Then Allah, may He be glorified and exalted, ends the verse by encouraging us to fear Him and believe in the Last Day, and the reckoning and reward that will occur on that Day, so that this will motivate the one who remembers it to do a lot of righteous deeds and to avoid things that are forbidden, in the hope of Allah's mercy and in fear of His punishment.

Shaykh 'Abd ar-Razzaq 'Afeefi, Shaykh 'Abdullah ibn Ghadyaan, Shaykh 'Abdullah ibn Munayyi'

End quote from Fataawa al-Lajnah ad-Daa'imah li'l-Buhooth al-'Ilmiyyah wa'l-Ifta' (11/266, 267)

And Allah knows best.