

223764 - If the pilgrim who is doing tamattu' does not fast the three days until he leaves Makkah

the question

What is the ruling on someone who fasts instead of offering the hadiy after the end of the ten days? Please note that he thought that what was meant by "three days during Hajj" was during the month of Hajj, and he did not realise that it meant during the days of Hajj, and he did not fast them until he fasted them with the other seven days, after he had left Makkah and gone back home. Please note that, moreover, he delayed his fast until the month of Hajj had ended.

Detailed answer

Firstly:

The fuqaha' are

agreed that if the pilgrim who is doing tamattu' cannot afford a hadiy, he must fast three days during Hajj and seven days after he returns home, because Allah, may He be exalted, says (interpretation of the meaning):

"but

if he cannot afford it, he should observe Saum (fasts) three days during the Hajj and seven days after his return (to his home), making ten days in all"

[al-Baqarah
2:196].

End quote from

al-Mawsoo'ah al-Fiqhiyyah (14/12-13)

Secondly:

What should be

done is not to delay fasting the three days beyond the days of at-Tashreeq.

Shaykh Ibn 'Uthaymeen (may Allah have mercy on him) said:

It is

permissible to fast the three days during the days of at-tashreeq, which are the eleventh, twelfth and thirteenth of Dhu'l-Hijjah, and it is permissible to fast them before that, after entering ihram for 'umrah. It is permissible to fast these three days consecutively or separately, but they should not be delayed beyond the days of at-tashreeq. As for the remaining seven days, he should fast them when he returns to his family; if he wishes he may fast them consecutively, and if he wishes he may fast them separately.

End quote from

Majmoo' Fataawa wa Rasaa'il al-'Uthaymeen (24/376)

If he did not

fast the three days during Hajj, then he must make them up, whether he omitted to fast them because of an excuse or otherwise. But if he did not have an excuse, then he has done something wrong and must repent to Allah, by regretting what he did and resolving not to do it again.

The scholars of

the Standing Committee for Issuing Fatwas said:

If the pilgrim

who is doing tamattu' is not able to offer the sacrifice and is not able to fast during the days prescribed, then he must fast when he is able to, even if that is after he returns to his country.

End quote from

Fataawa al-Lajnah ad-Daa'imah (10/410)

Shaykh Ibn

‘Uthaymeen said:

If a person

delays fasting the three days that should be fasted during Hajj, until he has finished his Hajj, with no excuse, does he have to offer a fidyah? The correct view is that he does not have to, and it is strange that the fuqaha’ (may Allah have mercy on them) said that he does have to offer a fidyah, when he could not afford it in the first place. Moreover, because he could not afford a hadiy, fasting became obligatory in his case, therefore we say that the fasting must be done during Hajj, but if he delays it – especially if he had an excuse – then it must be made up, like Ramadan.

End quote from

ash-Sharh al-Mumti’ (7/180)

Shaykh Ibn

‘Uthaymeen (may Allah have mercy on him) was also asked about a man who did Hajj tamattu’ and there was a fire in which his things and his money were burned in the tent, so he did not offer a fidyah; does he have to do anything?

He replied:

We do not know

what the brother did: did he fast? Because the fire happened on the eighth day, so if the Day of Sacrifice came, and he did not have anything, then let him fast the eleventh, twelfth and thirteenth, then when he goes back to his family, he may fast the remaining seven days, because Allah, may He be Blessed and exalted, says (interpretation of the meaning):

“and

whosoever performs the Umrah in the months of Hajj, before (performing) the

Hajj, (i.e. Hajj-at-Tamattu and Al-Qiran), he must slaughter a Hady such as he can afford, but if he cannot afford it, he should observe Saum (fasts) three days during the Hajj and seven days after his return (to his home)”

[al-Baqarah
2:196].

If he did not do that, then now he must repent to Allah and fast ten days, three to make up (what he should have done during Hajj) and seven other days as prescribed.

End quote from
Majmoo' Fataawa wa Rasaa'il al-'Uthaymeen (22/208)

The scholars of
the Standing Committee for Issuing Fatwas were asked:

I did the obligatory pilgrimage several years ago, but I did not offer a sacrifice on the Day of Eid, because of lack of means. I was told that I could fast three days during Hajj and seven days when I went back to my country, but then I forgot, so I did not make up the three days during Hajj, or the seven days after I returned home. What should I do? May Allah reward you with good.

They replied:

You have to fast the ten days in your country, if you were doing qiraan ('umrah and Hajj together, entering ihram once and remaining in ihram until the end of Hajj) or tamattu' (entering ihram for 'umrah, exiting ihram, then entering 'ihram again for Hajj).

End quote from
Fataawa al-Lajnah ad-Daa'imah (11/388)

As you have
fasted the ten days, you have done what was required of you, and we ask
Allah, may He be exalted, to accept it from you.

And Allah knows
best.