

342926 - Ruling on one who stoned the jamarat during the adhan of Maghrib or after that on the thirteenth [of Dhul-Hijjah]

the question

I did Hajj with my family a few years ago, and on the third of the days of at-tashriq [i.e., 13th Dhul-Hijjah], we set out after 'Asr to stone the jamarat. The route was crowded, and before stoning the jamarat or whilst stoning them - I don't remember exactly - we heard the adhan for Maghrib. I believe that we finished stoning the jamarat whilst the adhan was still ongoing, but I am not sure. My father was behind us, and it seems that he stoned the jamarat after Maghrib. What should we do?

Summary of answer

If the sun set and the adhan was given for Maghrib on the thirteenth of Dhul-Hijjah before you stoned the middle jamrah or the largest one, then the time for stoning the jamarat had ended, and whatever stoning was done after the adhan is invalid, so you have to offer a compensatory sacrifice. The same is also required of your father. So you can delegate someone to slaughter two sheep on your behalf in Makkah, and distribute the meat among the poor of Makkah.

Detailed answer

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When does the time for stoning the jamarat end on the third of the days of at-tashriq?

The time for stoning the jamarat on the third of the days of at-tashriq ends at sunset, because Allah, may He be exalted, says (interpretation of the meaning):

{And remember Allah during [specific] numbered days. Then whoever hastens [his departure] in two days – there is no sin upon him; and whoever delays [until the third] – there is no sin upon him – for him who fears Allah . And fear Allah and know that unto Him you will be gathered} [al-Baqarah 2:203].

So whoever stones the jamarat after sunset, his stoning does not count. The basic principle is that the mu'adhdhin does not give the call to prayer except when the sun has set. Based on that, whatever stoning occurs after the adhan is not valid.

Ruling on one who omits to stone the jamarat

If someone omits to stone all of the jamarat, or he omits stoning them on one day, or he omits stoning one jamrah, then he must offer a compensatory sacrifice, which is a sheep, to be slaughtered and the meat given to the poor of Makkah and the Haram.

It says in *Kashshaf al-Qina'* (2/510):

If he delays stoning the jamarat altogether until after the days of at-tashriq, or he delays stoning Jamrat al-'Aqabah until after the days of at-tashriq, or he omits to spend the night in Mina for one night or more of the nights of the days of at-tashriq, then he must offer a compensatory sacrifice, because Ibn 'Abbas said: Whoever omits or forgets a ritual, he must slaughter an animal [as a compensatory sacrifice].

From this it is known that if he omitted to spend part of a night in Mina, nothing is required of him. What appears to be the case is that that applies even if he spent most of the night somewhere other than Mina.

He should not do it – i.e., stoning the jamarat – after the days of at-tashriq have ended, which also applies to staying overnight in Mina during those nights. If he omitted to do it, he should not do it now, because the time for it has gone, but he must offer the fidyah that is required for that.

If he omits one pebble, the penalty is the same as that for shaving one hair, and if he omits two pebbles, the penalty is that of shaving two hairs. For more than that, he must offer a compensatory sacrifice, as mentioned above with regard to shaving the head [before exiting ihram]. End quote.

Shaykh Ibn Baz (may Allah have mercy on him) said: Omitting stoning the jamarat altogether only requires one fidyah. So if he omitted stoning altogether, or he omitted part of it, if he omitted stoning one of the three jamarat, or he omitted stoning on one complete day, he only has to offer one fidyah, which will cover all of it.

But the scholars stated that if what is omitted is one or two pebbles for the last jamrah, then it may be overlooked, according to many scholars, but if he omitted three pebbles, it cannot be overlooked; rather he must complete it. If the time for it has ended, then he must offer a compensatory sacrifice.

Whatever the case, the jamarat overlap, meaning that if he omits all of them, or he omits stoning on one of the days of at-tashriq other than the third day – meaning that he did not stone the jamarat on the eleventh day or the twelfth day, or he omitted one jamrah, meaning seven pebbles, or he omitted four pebbles, or five pebbles, or three pebbles – then he must offer a compensatory sacrifice. End quote from *Fatawa Nur 'ala ad-Darb*.

Based on that, if the adhan was given for Maghrib before you stoned the middle jamrah or the largest one, then you must offer a compensatory sacrifice. The same is also required of your father. So you can delegate someone to slaughter two sheep on your behalf in Makkah, and distribute the meat among the poor of Makkah.

And Allah knows best.