

Concerning the Dates for Eid-ul-Adha and Hajj

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Concerning the different rituals of worship of salah and fasting in Islam, one may not be made to depend on the other. Similarly, Eid-ul-Adha and Hajj are two separate rituals of worship, not dependent upon each other.

1. Looking at the history of the prescription of the two rituals, Hajj was made fard in the sixth year of Hijrah (Ibn 'At commentary on Mishkat), whereas, Eid-ul-Adha was instituted since the first year of the Hijrah.

Reported on the authority of Ibn Umar (RA): Rasulallah (SAW) lived in Medina for ten years and made sacrifice each year. (Tirmidhi)

2. The salah of Eid-ul-Adha is wajib (incumbent) upon all those Muslims who live in such towns where the salahs of the two Eids and Jumma are correct according to the specifications of the towns given by fuqaha (jurists). Mina satisfies such specifications, yet, it is not wajib (incumbent) upon those hujjaj who are present in Mina on the tenth of Dhul-Hijjah to offer the salah of Eid-ul-Adha even though Mina has been known to be a part of Makkah and within its city limits from the beginning. And now, a part of the Makkan population resides in Mina; nonetheless, the salah of Eid-ul-Adha is not wajib (incumbent) upon the hujjaj.

"Mina is a place where salat-ul-Eid is permitted except that the hujjaj are exempt from it [salah Eid-ul-Adha]. With our exhaustive search, we have found no such practice [hujjaj making salah Eid-ul-Adha]. Nor did we find a salah Eid-ul-Adha in Makkah, nor did we or the mashaykh [scholars] make salah Eid-ul-Adha in Makkah." (as cited by Shami from commentary of Al-Ashbah from the chapter on hunting)

3. The sacrifice of Eid-ul-Adha is wajib (incumbent) upon all those who possess enough wealth to satisfy the least condition of nisab (those who are sahib-al-nisab). However, such a sacrifice is not required by the hujjaj in Mina according to most fuqaha (jurists). The sacrifice made by the hujjaj is not caused by them being sahib-al-nisab but rather by them combining umrah with Hajj in the Hajj of tamattu or qiran. If the umrah is not combined with Hajj, then even this sacrifice is not required. In Maliki school of thought, it is required that the one making the sacrifice for Eid-

ul-Adha must not be a Hajji (pilgrim), even though, he may be Makkan. (Kitabul Fiqh, section on sacrifice)

4. If an individual is not able, monetarily, to give the ritual sacrifice of tamattu and qiran, then he will fast for ten days in lieu of the sacrifice. As it has been stated in the Quran:

“ ...he must make an offering such as he can afford, but if he cannot afford it, he should fast three days during the Hajj and seven days on his return, making ten days in all...” (2:196)

Whereas, if a non-Hajji is unable to give the sacrifice, he is not obliged to fast for ten days or give any other expiation, making the ritual of sacrifice of Hajj given by the pilgrims separate from the sacrifice of Eid-ul-Adha.

5. The sacrifice of Eid-ul-Adha may be performed anywhere, however, the sacrifices of tamattu and qiran can only be given within the limits of Haram.
6. The sacrifice of Eid-ul-Adha becomes wajib with the advent of the dawn of the tenth of Dhul-Hijjah, provided that the individual has in his possession an amount at least equal to nisab. While the views held by jurists and scholars in regards to the sacrifice of tamattu and qiran are as follows:
 - Shafei scholars forward that the time when the sacrifice of tamattu becomes wajib is when one does the ihram for Hajj. It is permitted, however, to give sacrifice even before this time. In this case, one may give his sacrifice anytime after his completion of umrah. The preferable time for offering sacrifice is on the tenth of Dhul-Hijjah. Furthermore, there is a time limit before which the sacrifice need be made. One may offer it anytime after the umrah as stated above.
 - According to Maliki scholars, sacrifice may be given anytime after doing the ihram of umrah but before doing the ihram for Hajj.
 - Hanbali scholars state that the sacrifice of tamattu and qiran can be offered only after the dawn of the tenth of Dhul-Hijjah.
 - According to Hanafite scholars, the sacrifice of tamattu and qiran must be done on the tenth of Dhul-Hijjah but after the stoning at Jamarat-al-Aqabah (Kitabul Fiqh ala al-Madhahibal Arba'ah).

7. According to Shafite scholars, one who made the sacrifice of tamattu and qiran is not allowed to eat of the sacrifice. The meat, in this case, needs to be distributed among the needy. However, the Hanafite and Maliki scholars state that the one who make the tamattu or qiran sacrifice may eat of its meat. Hanbalite scholars agree with this ruling only because it has been established by the Sunnah of the Prophet (peace be upon him); otherwise, under normal circumstances, they do not regard the consumption of meat from a wajib sacrifice to be lawful for the one who sacrificed the animal. As the sacrifice of tamattu and qiran is wajib, the Hanbali scholars would normally regard the meat unlawful for the one who made the sacrifice, but since it has been established by the practice of the Holy Prophet (peace be upon him), they have considered the consumption of the meat lawful. (*Kitabul Fiqh 'ala al- Madhahibal Arba'ah*).

The aforementioned make it abundantly clear that Hajj and Eid-ul-Adha and their respective sacrifices are two separate and independent forms of worship. One is neither contingent nor linked to the other. Yet, some still speak of these two independent forms of worship as if they were interrelated. There is no evidence to support this view other than the fact that Hajj falls on the ninth of Dhul-Hijjah and Eid-ul-Adha on the tenth. Based on this fact, it is advanced that Eid-ul-Adha must follow Hajj on the following day. By way of analogy, they claim that Eid-ul-Adha must be performed by people all over the world the very next day after the ninth of Dhul-Hijjah. In which authentic book of jurisprudence can we find a ruling that supports this view? This is a question that remains to be answered. Even if we adopt the view that there is only one universal horizon for the entire world as a basis for the previous argument, the argument will not stand. Because in this case, it would mean that the crescent would always be sighted in the Hijaz before it can be sighted anywhere else in the world. The crescent always cannot be sighted in the Hijaz first. However, it is uncanny that for the last few decades, the crescent seems to be sighted first in Saudi Arabia than anywhere else in the world. Allamah Haskafee, author of *ad-Dur al-Mukhtaar*, states, in discussing the concept of a universal horizon, that the inhabitants of the eastern hemisphere will take the moon sighting of the inhabitants of the western hemisphere provided they are sure the moon has really been sighted in the west.

Allamah Shaami writes that as far as the view that there are multiple horizons for the world, this is a matter wherein there is no dispute; this is a matter that cannot be denied. Allamah Shaami further writes that the only case where there is room for dispute in regards to whether there are multiple horizons or a universal horizon is in the case of Eid-ul-Fitr and the initiation of Ramadan. Notice, that Eid-ul-Adha is not mentioned. Let us for the sake of future

discussion look at the different points of views regarding the horizon and Ramadan/Eid-ul-Fitr.

Shafite scholars and the Hanafite scholars Zay'li' and Saahibul Faidh, are in agreement that there is only one universal horizon for the world in the matter of Ramadan and Eid-ul-Fitr. However, the according to the more accepted Hanafite view, in addition to Malaki and Hanabalite scholars, this is not a valid conclusion i.e., there are multiple horizons in the matter of Ramadan and Eid-ul-Fitr. This is based on a broader interpretation of the hadith-- begin fast with the sighting of the moon and terminate the fast with the sighting of the moon-- than that of the Shafite scholars, Imam Zayli', and Saahibul Faidh, all of whom take a more restrictive interpretation of the same hadith to support their view.

Allamah Shaami then writes in regards to Hajj and Eid-ul-Adha the following: It is understood from the discussion in Kitab-ul-Hajj that the view of multiple horizons is correct in the matter of Hajj. If it is known that the crescent (of Dhul-Hijjah) was seen a day earlier in another town it will not make anything obligatory on them (the people of the town who saw the moon a day later). Can this be said about the sacrifice of those not performing Hajj as well? The reasoning is clear. Multiple horizons is adopted in the rulings of fasting because of its being related to 'sighting'; 'sacrifice' is contrary to it. Apparently, the sacrifice is like the timings of the prayers. Every one has to go by its own time. Therefore, it is valid for those who are sacrificing on the third day according to their sighting even though it may be the fourth day according to the sighting somewhere else.