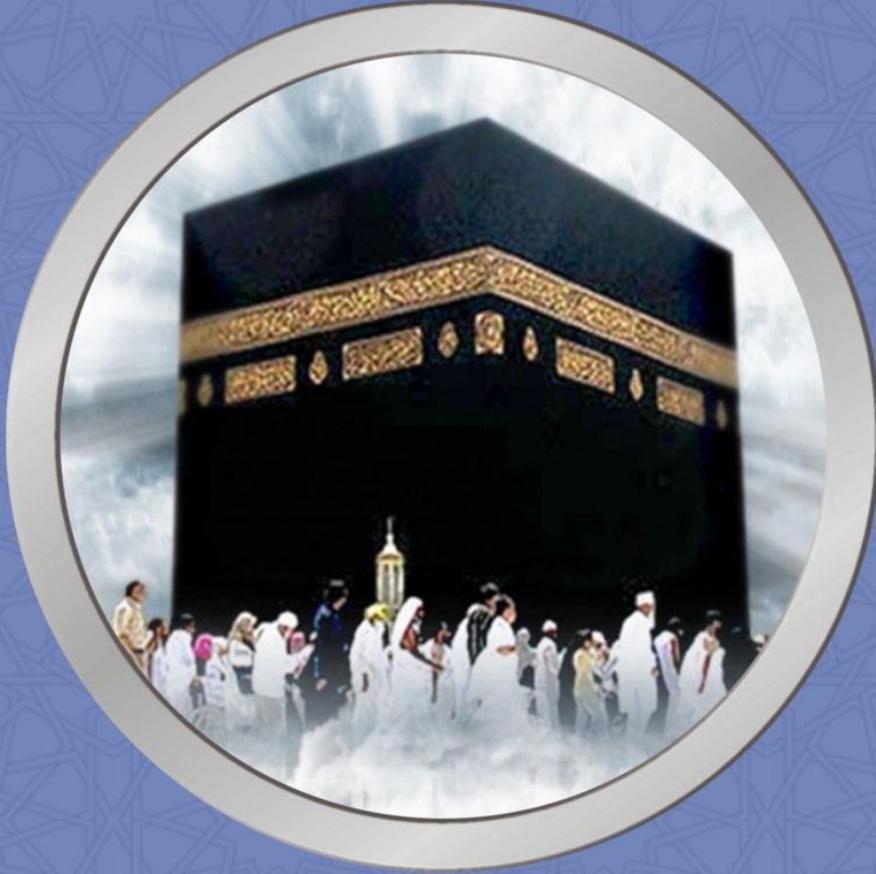


E-BOOK

THE RULES CONCERNING THE KA'BA



Maḥmūd Ibn Aḥmad al Dosary (PhD).

THE RULES CONCERNING THE KA'BA

Maḥmūd Ibn Aḥmad al Dosary (PhD).



INDEX

Introduction

Section I: The Maqām Ibrāhīm.

Part I: The position of the Maqām Ibrāhīm (p).

Part II: The rule about praying behind the Maqām.

Section II: The multiplication of the prayer's reward.

Part I: The multiplication of the prayer's reward is specific to the Mosque of the Ka'ba.

Part II: The multiplication of the prayer's reward is specific to the five compulsory prayers.

Part III: The multiplication of the prayer's reward is specific to men.

Part IV: Praiseworthiness of supererogatory prayers (nawāfil) for foreigners in the Sacred Mosque.

Section III: The rules concerning ṭawāf.

Part I: Prohibited times for prayer.

Part II: Ṭawāf and its prayer of two rak'a during prohibited times.

Part III: Specific exception for ṭawāf and its prayer.

Part IV: Mutliplying ṭawāf for people living outside Mecca.



INTRODUCTION

Verily all praise is for Allah, we praise Him, seek His help and forgiveness, and we seek refuge in Allah from the evil of ourselves and from the sinfulness of our actions. Whosoever Allah guides, then none can misguide him, and whosoever Allah misguides, there can be no guide for him. I testify that there is no deity except Allah alone and I testify that Muḥammad is His servant and messenger.

يَا أَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ حَقَّ تَقَاتِهِ وَلَا تَمُوتُنَّ إِلَّا وَأَنْتُمْ مُسْلِمُونَ

“O you who have believed, fear Allah as He should be feared and do not die except as Muslims (in submission to Him)” Surat ‘Āli ‘Imrān (Family of ‘Imrān), verse 102.

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً ۚ وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالْأَرْحَامَ ۚ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا

“O mankind, fear your Lord, who created you from one soul and created from it its mate and dispersed from both of them many men and women. And fear Allah, through whom you ask one another, and the wombs. Indeed Allah is ever, over you, an Observer.” Surat An-Nisā' (The Women), verse 1.

يَا أَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ وَقُولُوا قَوْلًا سَدِيدًا ﴿٧٠﴾ يُصْلِحْ لَكُمْ أَعْمَالَكُمْ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ ۗ وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ فَقَدْ فَازَ فَوْزًا عَظِيمًا

﴿٧١﴾



“O you who have believed, fear Allah and speak words of appropriate justice. He will then amend for you your deeds and forgive you your sins. And whoever obeys Allah and His Messenger has certainly gained a signal victory” Surat Al-'Aḥzāb (The Combined Forces), verses 70 – 71.

Certainly the best of speeches is the Book of Allah and the finest guidance is the guidance of Muḥammad, may the peace and blessings of Allah be upon him. The most evil affair is a newly invented matter in religion and every newly invented matter is innovation (*bid'a*), and every innovation is misguidance and all misguidance is in the Hellfire.

In one of the most desolate and arid places of Earth, in a rocky and stony land surrounded everywhere by the desert, with no plantations and no water; a place that lacks everything that gives life and prosperity, Allah chose Mecca The Honoured to become His safe Sanctuary, the heart and capital of the World, the unique city on the face of the planet that acquired sanctity by a divine order and a Lordly decree to shine radiantly over all cities.

The will of Allah Most High chose for Mecca this barren land in spite of His power, exalted be He, to make it a gorgeous verdant garden with luxuriant vegetation, full of flowers, warbling birds and babbling streams. He made it a sign of His power and a miracle; Allah Most High said:

أَوَلَمْ يَرَوْا أَنَّا جَعَلْنَا حَرَمًا ءَامِنًا وَيَتَخَطَّفُ النَّاسُ مِنْ حَوْلِهِمْ

“Have they not seen that We made (Mecca) a safe Sanctuary, while people are being taken away all around them?” Surat al-'Ankabūt (The Spider): 67.

And Allah Most High said:

أَوَلَمْ نُمَكِّنْ لَهُمْ حَرَمًا ءَامِنًا يُجْبَىٰ إِلَيْهِ ثَمَرَاتُ كُلِّ شَيْءٍ رِّزْقًا مِّن لَّدُنَّا

“Have We not established for them a safe Sanctuary to which are brought the fruits of all things as provision from Us?” Surat Al-Qaṣaṣ (The Stories): 57.



Mecca the Honoured is particular compared to all other cities on the planet; cities and lands are favoured, according to human habits, for their resources and the wealth Allah bestowed upon them; some lands are preferred thanks to their mineral resources, some for their oil resources, other for their agriculture or water or any other material perishable assets.

But the criterion of differentiation of the Holy Land that singles it out is not a material one: religion is the basis of its distinction from all other lands and countries; it is the Holy Land of Allah, on it lies the Honourable Ka'ba, the sacred and glorified places, it is the qibla (direction) of the Muslims, in it takes place the greatest gathering of people on Earth to worship Allah Most High by accomplishing the Hajj and 'Umra.

For this reason, Mecca holds a great and elevated status in the hearts of all the Muslims of the planet; a station stemming from this religious eminence bestowed by Allah. There is no doubt that what distinguishes a nation from another, what raises one above others is the scale of the exaltation of its sanctity, its bond to its History, its persistence in sticking to its authenticity and its development from its past towards its present and future. This is why ancient and modern Muslims have granted the Holy Land a great interest, dedicated to it volumes and devoted to it their times.

It is with my deep love for the Holy Land and my firm belief in the greatness of our religion and our convictions that I decided to write this book which I entitled "The Holy Land: Description – Names – Virtues – Specificities – Rules" for it to become a comprehensive reference; hoping it to be pleasant to read; I gathered in it what is related to the Holy Land as descriptions, virtues, specificities and rules linked to it. This book came into being with the help of Allah Most High, combining the splendour of sight, ease of reading and the charm of writing on this great and deep subject.

Our Lord creates what He wills and He chooses:

It is according to the perfection of His power, His wisdom and knowledge that Allah Most High prefers, distinguishes, specifies and chooses between His creatures. Allah has His preference between angels, prophets and human beings. He preferred



some periods of times above others as He preferred some places above others; for instance He preferred the Firdaws amongst all the Heavens.

If you gaze at Creation you would see this divine choice and grant indicating His lordliness, exalted be He, His oneness and the perfection of His wisdom, knowledge and power; He is Allah, there is no god but Him and no one creates as He creates, no one chooses as He chooses, no one directs all things as He does. These choices and arrangements noticed in this World are amongst the greatest signs of His lordliness and the most obvious evidence of His oneness and of the characteristics of His perfection and the sincerity of His messengers.¹

No one creates as He creates, no one chooses as He chooses and no one directs all things as He does; Allah Most High said:

وَرَبُّكَ يَخْلُقُ مَا يَشَاءُ وَيَخْتَارُ

“And your Lord creates what He wills and He chooses” Surat Al-Qaṣaṣ (The Stories): 68.

Amongst the places that received this grace and greatness is Mecca the Honoured, the land of the Revelation and the cradle of the message where lays a house for which the hearts and souls are craving, is it not the Ancient House.²

Amongst the signs of its preference: Allah Most High informed us that Mecca is the Mother of Cities; all the cities are linked to it, they are its followers, it is their central axis and origin. Therefore, there cannot be any city equivalent to it; it is similar to the Fātiḥa: the Prophet (s) said of it that it was the Mother of the Qur’ān; this is why it is second to none in all the divine books.³

Importance of the subject and method:

The importance of this book lies in its own nature: a comprehensive study of the Holy Land and what is relevant as history, virtues, specificities and rules based on sharia-authenticated sources approved by the standards of well-versed and eminent

¹ Zād al-ma’ād, Ibn al-Qayyim (42/1).

² See: Bayt Allah al-ḥarām al-Ka’ba, Muḥammad Ibn ‘Abd Allah Shabbāla p. 7.

³ Zād al-ma’ād, (49 – 50/1).



people in jurisprudence; regardless of what became famous concerning the Holy Land such as false ḥadīths, false events or false information linked to it. Therefore, the method of this book is based on the method of the people of ḥadīth whereas authenticity of information is the fundamental condition for being quoted in the text. This is the guideline followed, based on the prevailing opinion in Islamic jurisprudence: presenting evidence from the Qur'ān and the Sunna, sometimes with the addition of companions' statements and reasoning, evidence of the consensus if there is one, and quoting rules, wisdoms and benefits derived from said evidence. I avoided delving into too many details (except for important matters) or mentioning contradictions in order to ward off boredom, to make prevailing opinions more clear in the minds and to make the book easier and more comfortable for the dear reader.

This book is intended for all categories of Muslims ranging from the diligent student assiduous in the quest of knowledge to the uninitiated reader considering the easiness of the method, the fluency of the style and the distance taken from blameworthy controversy or sterile arguments.

Maḥmūd Ibn Aḥmad al Dosary (PhD).

Dosary33@hotmail.com

www.drDOSary.com

Dammam S. B.: 2779

Zip code: 31461



Section I

The Maqām Ibrāhīm (The Station of Ibrāhīm) (p)

Part I The position of the Maqām Ibrāhīm (p)

The ulama diverged on the position of the Maqām Ibrāhīm (p) in the past because of two opinions. **The prevailing one** affirms that the position of the Maqām during the pre-Islamic period of ignorance has remained the same until the time of the Prophet (s) and the caliphates of Abū Bakr and ‘Umar (r2). When ‘Umar Ibn al-Khaṭṭāb (r) was caliph, a violent flood removed it from its place, and ‘Umar put it back to its proper place in the presence of a group of Muslims after having checked its correct location. This is the opinion of most scholars, like al-Azraqī (m) who reported it from Pious Predecessors⁴; Ibn Ḥajar⁵ also backed this opinion as well as Muḥibb ad-Din aṭ-Ṭabarī⁶.

Evidence:

1. Ibn Abī Mulayka (m) narrated: The position of the Maqām today is the position it had during the pre-Islamic period of ignorance and at the time of the Prophet (s), Abū Bakr (r) and ‘Umar (r); until the violent flood removed it

⁴ See: *Hāshiyah Ibn Ḥajar al-Haythamī ‘alā sharḥ al-īdāḥ fī Manāsik al-Ḥajj*, p. 281.

⁵ *Fath al-Bārī* (499/1).

⁶ *Al-Qirā li-Qāsid Umm al-Qurā*, al-Muḥibb aṭ-Ṭabarī, p. 346.



under 'Umar's caliphate. Then the Maqām was put against the Ka'ba, before the caliph restored it to its original place after ascertaining that it was the proper site in the presence of a group of people.⁷

2. The ḥadīth narrated by Jābir (r) in his description of the Ḥajj of the Prophet (s): After the Prophet (s) performed his ṭawāf, he went forward to the Station of Ibrāhīm and recited

وَاتَّخِذُوا مِنْ مَّقَامِ إِبْرَاهِيمَ مُصَلًّى ۖ

“And take the Station of Ibrāhīm as a place of prayer” (Surat al-Baqara – The Cow: 125). While praying two rak'a he kept the Station between him and the House.⁸

Muḥibb ad-Din aṭ-Ṭabarī (m) said: What comes to mind when hearing this ḥadīth is that the Maqām did not cling to the House: it has never been mentioned that he went forward to it and put it elsewhere. It was possible for him to turn his back to it while facing the Ka'ba for praying or for it to be in front of him; so if it clung to the House, he could only face it, nothing else.⁹

3. Al-Muṭṭalib Ibn Abī Wadā'a as-Sahmī reported from his father, who reported from his grandfather: The floods were entering the Sacred Mosque from the big Bani Shayba gate before 'Umar Ibn al-Khaṭṭāb erected the higher dam. This gate was named the gate of the flood. The floods probably moved the Maqām from its place and maybe threw it near the Ka'ba. During the caliphate of 'Umar Ibn al-Khaṭṭāb (r), a flood named Umm Nahshal (after Umm Nahshal, the daughter of 'Ubayda Ibn Abī Aḥīḥa Sa'īd Ibn al-'Āṣ who drowned in it) moved the Maqām from its place. It was found at the bottom of Mecca and then brought back and tied to the curtains of the Ka'ba.

This incident was reported to 'Umar (r) who came in a hurry; he entered the Mosque for a 'Umra during the month of Ramaḍān and the Maqām was not where it used to be as it had been swept away by the flood. 'Umar started to call people saying: By Allah! I am looking for someone who has knowledge

⁷ Reported by al-Azraqī in *Akhbār Makka* (35/2), quoted by Muḥibb ad-dīn aṭ-Ṭabarī in *Al-Qirā li-Qāsid Umm al-Qurā*, p. 345 and *al-Fāsī in Shifā' al-gharām* (332/1).

⁸ Reported by Abū Dāwūd (183/2), H. 1905 and authenticated by al-Albānī in *Ṣaḥīḥ sunan Abī Dāwūd* (536/1), H. 1905.

⁹ *Al-Qirā li-Qāsid Umm al-Qurā*, p. 346.



about this Maqām! Al-Muṭṭalib Ibn Abī Wadā'a as-Sahmī said: Me, Commander of the Faithful, I have this knowledge! I was fearing this for it, so I calculated the distance between the Maqām and the corner, between it and the door of the Ḥijr and between the Maqām and the Zamzam well with a well-twisted rope which I have in my house.

ʿUmar told him: Sit here with me and send someone to pick it up. When the rope arrived, he spread it and found its original place. He asked the people and sought advice from them, they said: Yes! This is its place! When ʿUmar (r) checked and ascertained everything, he ordered the building of a base for the Maqām and a structure around it. It is still today at this very place. He said (al-Muṭṭalib): ʿUmar bridged the higher dam and reinforced it with rocks. Ibn Jarīj said: And not any flood went through it since the time of ʿUmar (r) until today.¹⁰

Ibn Ḥajar (m) mentioned these events in *Fath al-Bāri*, confirming the authenticity of the source saying: “al-Azraqī reported in *Akhbār Makka* with authentic chains of narration that the Maqām at the time of the Prophet (s), Abū Bakr and ʿUmar (r2) was at the same place as it is now. During the caliphate of ʿUmar, a flood took away the Maqām to the bottom of Mecca. It was then tied to the curtains of the Ka'ba until ʿUmar came to restore it to its original place after ascertaining that it was the proper site. He reinforced its base and built a structure around it, as it is today.”¹¹

The inspiration of al-Muṭṭalib Ibn Abī Wadā'a about measuring the position of the site, fearing an unforeseen event like a flood, is a blessing of Allah Most High and irrefutable evidence that this House and its surroundings are under Allah's protection, exalted be He.

¹⁰ *Akhbār Makka*, al-Azraqī (33-34/2).

¹¹ *Fath al-Bāri* (499/1).



Part II The rule about praying behind the Maqām

Firstly: It is recommended to pray the two rak'a after ṭawāf behind the Maqām:

It is recommended to pray the two rak'a following the ṭawāf behind the Maqām, if it is possible, even from a certain distance; this is the opinion of the majority.¹²

Evidence:

1. 'Abd Allah Ibn 'Umar (r2) narrated: **Allah's Messenger (s) came and circumambulated the House seven times and then prayed two rak'a behind the Maqām.**¹³
2. Jābir (r) narrated in his description of the Ḥajj of the Prophet (s): the Prophet, after performing ṭawāf, **went forward to the Station of Ibrāhīm and recited**

وَاتَّخِذُوا مِنْ مَّقَامِ إِبْرَاهِيمَ مُصَلًّى ۖ

“And take the Station of Ibrāhīm as a place of prayer.” While praying two rak'a he kept the Station between him and the House. Allah's Messenger (s) used to recite in the two rak'a “Say, He is Allah, one” and “Say O infidels”¹⁴

Significance: It is recommended to pray the two rak'a following the ṭawāf behind the Maqām.

Secondly: authorization of praying the two rak'a after ṭawāf anywhere:

The sunna and the best thing to do is to pray the two rak'a following the ṭawāf behind the Maqām; but for the person who cannot do this because of the crowd it is

¹² See: *Ṣaḥīḥ Muslim bi-sharḥ an-Nawawī* (175/8), *'Umda al-qārī sharḥ ṣaḥīḥ al-Bukhārī* (38/15), *Fath al-Bārī* (488/3), *al-Kharshī 'alā khalīl* (328/2), *al-Mughnī* (400/3).

¹³ Reported by al-Bukhārī (588/2), H. 1547.

¹⁴ Reported by Abū Dāwūd (183/2), H. 1905. Authenticated by al-Albānī in *Ṣaḥīḥ sunan Abū Dāwūd* (536/1), H. 1905.



possible to pray these two rak'a anywhere in the Sacred Mosque and even outside the Sacred Mosque.¹⁵

Evidence:

1. The Prophet's wife (s) Umm Salama (rh) narrated: Allah's Messenger (s) was in Mecca and had just decided to leave the city while she had not yet performed ṭawāf. The Prophet (s) said: **When the Morning Prayer is established, perform ṭawāf on your camel while the people are in prayer.** She did so and did not offer the two rak'a of ṭawāf until she came out of the Mosque.¹⁶

Significance: The Prophet (s) allowed Umm Salama (rh) to pray the two rak'a of ṭawāf outside the Sacred Mosque.

Opinions of the scholars:

1. Ibn Ḥajar (m) said: His word "She did not offer the two rak'a of ṭawāf until she came out" i.e. out of the Mosque or out of Mecca indicates the authorization of praying the two rak'a of ṭawāf outside the Mosque; if there was any obligation, the Prophet (s) would not have allowed her to do so.¹⁷
2. Al-'Aynī (m) quoted al-Bukhārī: **Chapter: praying the two rak'a of ṭawāf outside the Mosque:** This is a chapter showing the authorization of praying the two rak'a of ṭawāf outside the Sacred Mosque. Its **conclusion** is that there is no specific place for praying the two rak'a of ṭawāf. It is permitted to perform them anywhere; but the best place is behind the Maqām.¹⁸
3. An-Nawawī (m) said: It is recommended (mustaḥabb) to pray them behind the Maqām. If it is not possible, in the Ḥijr under the gutter; if not, in the Mosque; if not, in Mecca, and if not in Mecca, the person performs them in his country or anywhere on earth; it is allowed and permitted without expiation.¹⁹

¹⁵ See: *Ṣaḥīḥ Muslim bi-sharḥ an-Nawawī* (175/8), *'Umda al-qārī sharḥ ṣaḥīḥ al-Bukhārī* (38/15), *Fatḥ al-Bārī'* (488/3).

¹⁶ Reported by al-Bukhārī (308/1), H. 1626. Chapter: Praying the two rak'a of ṭawāf outside the Mosque.

¹⁷ *Fatḥ al-Bārī'* (487/3).

¹⁸ *'Umda al-qārī sharḥ ṣaḥīḥ al-Bukhārī* (38/15).

¹⁹ *Al-Majmū'* (53/8).



He (m) said in another source: It is a sunna for the person to pray them behind the Maqām; if not, in the Ḥijr; if not, in the Mosque; if not, anywhere in Mecca in the Sanctuary and if not, in one's country or anywhere on earth; it is permitted, but the person misses out on its virtue, even if he has to perform the prayer as far as he is alive.²⁰

4. The sheikh Ibn Bāz (m) said: It is not compulsory for the person who performed ṭawāf to pray two rak'a behind the Maqām Ibrāhīm, but it is prescribed for him to pray there if it is no trouble. If he performs them anywhere else in the Sacred Mosque or anywhere else in the Sanctuary of Mecca it is permitted. The person cannot bother the circumambulation of others to pray his two rak'a behind the Maqām; instead, he has to move away from the crowd and pray anywhere in the Sacred Mosque; as sometimes 'Umar (r) used to pray the two rak'a of ṭawāf at Dhu Ṭuwā²¹, which is inside the Sanctuary of Mecca but outside the Sacred Mosque. Or like Umm Salama (rh) who prayed for the farewell ṭawāf outside the Sacred Mosque. **It is clear that the reason** for this is the crowd. Or maybe she wanted by doing so to show to the people the flexibility of the Islamic law on this matter.²²

Evidence of the consensus:

More than one scholar mentioned the consensus on the permission for someone who accomplished his circumambulation to pray the two rak'a of ṭawāf wherever he wants; among them: Ibn al-Mundhir, an-Nawawī and Ibn Ḥajar.

Ibn al-Mundhir (m) said: The ulama agreed unanimously on the validity of the two rak'a of ṭawāf wherever they are performed; except Imam Mālik who disliked the prayer of ṭawāf in the Ḥijr²³. The majority of scholars said it is permitted to pray them in the Ḥijr or anywhere else.²⁴

Ibn Ḥajar (m) said: There is a scholarly consensus on the permission to pray the two rak'a of ṭawāf anywhere; except Imam Mālik who affirmed that the two obligatory rak'a of ṭawāf performed in the Ḥijr have to be performed again.²⁵

²⁰ *Ṣaḥīḥ Muslim bi-sharḥ an-Nawawī* (175/8).

²¹ Reported by al-Bukhārī, in his comment in *The Book of Pilgrimage, chapter: ṭawāf after as-Ṣubḥ and al-'Aṣr* (301/1), and Imam Mālik in *al-Muwatṭa'* (368/1).

²² *Majmū' fatāwa wa maqālāt mutanawwi'a* (228/18).

²³ *Al-Ijmā'*, p. 55.

²⁴ *Al-Majmū'* (62/8).

²⁵ *Fatḥ al-Bāri'* (488/3).



Section II

The Multiplication Of The Prayer's Reward

Part I The multiplication of the prayer's reward is specific to the Mosque of the Ka'ba

The ulama diverged on the multiplication of the prayer's reward. Does it concern the whole Sanctuary of Mecca or only the Sacred Mosque? There are two opinions, both supported by strong evidence and backed by a lot of scholars. I personally incline to favour the view according to which the multiplication applies only to the Sacred Mosque as it shelters the Ka'ba, may Allah Most High increase its honour, which itself benefits from divine protection. It is there that prayers are performed and for it travels are to be undertaken. Moreover, ṭawāf and retreat are to be accomplished only inside it and it is for the Mosque that the Sanctuary of the Holy City was blessed above others. This opinion is the opinion of the Mālikī School²⁶ and most of the Shāfi'ī²⁷ and Ḥanbalī²⁸ scholars.

All agreed on the multiplication of good deeds everywhere in the Sanctuary of the Holy City but concerning the nature of this multiplication, **the prevailing opinion** states that the multiplication of ḥasanāt (unity of reward for good deeds) concerns the quality, not the quantity.²⁹

²⁶ See: *al-Fawākih ad-dawānī* (275/2), *al-Mudawwana* by Imam Mālik (401/2).

²⁷ See: *al-Majmū'* (193/1), *Hāshiyā al-Bujirmī* (95/2), *l'āna aṭ-ṭālibīn* (359/2).

²⁸ See: *al-Furū'* Ibn Mufliḥ (335/1), *Maṭālib 'ulī an-nuhā* ar-Raḥībānī (384/2).

²⁹ See: *Faḍā'il Makka al-mukarrama*, dr. 'Abd Allah Ibn Muḥammad Nūrī, p. 150-152.



Evidence:

1. Maymūna (rh), the Prophet's wife (s) narrated this ḥadīth, elevated and attributed to the Prophet (s): **One prayer in this mosque (the Prophet's Mosque) is better than a thousand prayers in any other mosque except the Mosque of the Ka'ba.**³⁰

In the ḥadīth reported by an-Nasā'ī: **except the Ka'ba's Mosque.**³¹

In the ḥadīth narrated by Abū Hurayra (r), elevated and attributed to the Prophet (s): **except the Ka'ba.**³²

In another ḥadīth narrated by Abū Hurayra (r), elevated and attributed to the Prophet (s): **One should undertake journey to three mosques: the Mosque of the Ka'ba, my mosque, and the Mosque of Elia (Jerusalem's mosque).**³³

Significance: These different expressions (**the Mosque of the Ka'ba, the Ka'ba's Mosque or the Ka'ba** alone) and the words **the Sacred Mosque** (in other narrations) underline that the multiplication applies only to the Mosque around the Ka'ba, not the whole Sanctuary.³⁴

2. Abū Hurayra (r) narrated: The Prophet (s) said: **One prayer in my Mosque is better than a thousand prayers in any other mosque except the Sacred Mosque.**³⁵

Significance: The attention is drawn to the Prophet's Mosque (s), with the exclusion of other mosques in the Sanctuary of Medina; the same is true for the Sacred Mosque.

3. The expression "The Sacred Mosque" (al-Masjid al-Ḥarām) was given by tradition for what concerns the circumambulation (ṭawāf), with the exclusion of the rest of the Sanctuary or its mosques.³⁶

Ibn Khuzayma (m) said: If the words "The Sacred Mosque" were designating the whole city and the Sanctuary, it would have been prohibited to dig a well or

³⁰ Reported by Muslim (1014/2), H. 1396.

³¹ Reported by an-Nasā'ī (213/5), H. 2898. Authenticated by al-Albānī in *Ṣaḥīḥ sunan an-Nasā'ī* (313/2) H.2898.

³² Reported by an-Nasā'ī (214/5), H. 2899. Authenticated by al-Albānī in *Ṣaḥīḥ sunan an-Nasā'ī* (313/2) H.2899.

³³ Reported by Muslim (1015/2), H. 1397.

³⁴ See: *l'ām as-sājid bi-aḥkām al-masājid*, az-Zarkashī, p. 120.

³⁵ Reported by al-Bukhārī in his version (398/1), H. 1133, and Muslim (1012/2), H. 1394.

³⁶ See: *Shifā' al-gharām bi-akhbār al-balad al-ḥarām*, al-Fāsī (82/1).



a tomb in it, to urinate or defecate inside it, to throw decaying carcasses or carrion. No scholar ever prohibited or disliked the presence in the city of menstruating women or people in need of ghusl (taking bath for full ablutions), neither did they prohibit sexual intercourse within the walls of Mecca. If this was the case, the retreat would have been allowed everywhere in Mecca, in its houses and shops! But nobody ever said a word about it.³⁷

4. If someone undertakes a voyage towards any mosque of Mecca excepting the Sacred Mosque, it is not permitted and it is even forbidden. The only mosque which can be a destination for a traveller is the one that is characterized by the multiplication of good deeds inside it.³⁸

The multiplication takes effect outside the Mosque if the rows are related to each other:

If the rows are connected and if there is no alternative because of the crowd, the people praying outside the well-known limits of the Mosque, outside the limits of the esplanades surrounding it or in the streets connected to it, receive the complete reward as if they were inside. This is among the rules concerning the prayer.

Words of scholars on this matter:

There is no divergence among scholars concerning the validity of the prayer performed outside the Mosque on the condition that the rows outside are connected with the rows inside the Mosque.

1. **Al-Kāsānī (m)** said: If the prayer is performed outside the Mosque by following the movements of the imam inside and if the rows are connected, it is permitted. If rows are not connected, it is not. This position concerning the rule of the connection between the rows is linked to this Mosque, if the imam prays inside it.³⁹
2. **Imam Mālik (m)** said: If people pray in a closed place following the imam but not directly connected with the group inside, their prayers are accepted if such a place has windows or openings through which one can see the movements of the people and the imam inside: they bow with him and prostrate with him; this is permitted, except for the Friday prayer. If there are

³⁷ *Fatḥ al-Bāri'* (451/3).

³⁸ See: *Fatāwā ash-sheikh Muḥammad Ibn Ṣāliḥ al-'Uthaymīn* (438/1).

³⁹ *Badā'i' aṣ-ṣanā'i'*, al-Kāsānī (146/1).



no windows and no openings allowing them to see people inside nor the imam, but they hear him, bow when he bows and prostrate when he prostrates, this is permitted.⁴⁰

3. **Ibn Taymiya (m)** said: About congregational prayer behind the imam for people outside the mosque, or inside it but with an obstacle: **if the rows are connected, the prayer is accepted according to a consensus reached by religious authorities.**⁴¹

Summary: The people praying outside a mosque get full reward if there is no alternative and if the rows are connected.

Part II The multiplication of the prayer's reward is specific to the five compulsory prayers (farḍ)

The ulama diverged on the multiplication of the prayer's reward: does it concern the compulsory prayers (farḍ) only or does it include supererogatory prayers (nafl) as well? There are two opinions. **The prevailing opinion** affirms that the multiplication of the prayer's reward applies only to compulsory prayers (farḍ); this view is supported by the majority of Ḥanafī⁴², Mālikī⁴³ and Ḥanbalī⁴⁴ scholars.

Evidence:

1. Zayd Ibn Thābit (r) narrated: Allah's Messenger (s) said: **The prayer of a person in his house is better than his prayer in this mosque of mine, except for the compulsory prayers.**⁴⁵

Significance: The Mosque of the Prophet (s) is characterized by the multiplication of the prayer's reward inside it, likewise the Sacred Mosque though on a lower scale, but the Prophet (s) conveyed that it is better to perform supererogatory prayers at one's home.

⁴⁰ *Al-Mudawwana* (170/1).

⁴¹ *Majmū' al-fatāwa* (407/23).

⁴² See: *Radd al-muḥtār 'alā ad-durr al-mukhtār sharḥ tanwīr al-abṣār*, Ibn 'Abidīn (659/1).

⁴³ See: *al-Fawākih ad-dawānī* (271/1), *Kifāya aṭ-ṭālib ar-rabbānī* (535/2).

⁴⁴ See: *al-Furū'* (532/1).

⁴⁵ Reported by Abū Dāwūd (274/1), H. 1044. Authenticated by al-'Albānī in *Ṣaḥīḥ sunan Abī Dāwūd* (288/1), H. 1044.



2. Zayd Ibn Thābit (r) also narrated: Allah's Messenger (s) made a small room in the month of Ramadān (Zayd said: I think that it was made of a mat). He prayed there for a few nights and some of his companions prayed behind him. When he came to know about it, he kept on sitting. In the morning, he went out to them and said: **I have seen and understood what you did. You should pray in your houses, for the best prayer of a person is that which he prays in his house except the compulsory prayers.**⁴⁶

Significance: The ḥadīth informed us that it is better to perform supererogatory prayers at one's house, in spite of the greatness of the mosque.

3. The Prophet (s) used to perform supererogatory prayers at his house; going to his mosque only for compulsory prayers, even if it was situated just next to his house.⁴⁷

Ibn al-Hammām (m) said: This privilege is specific to compulsory prayers. Some say for supererogatory prayers as well... It is known that he said (s): **The best prayer of a person is that which he prays in his house except the compulsory prayers.** These were his words when he was in Medina addressing the people present in the mosque and the absent as well. Moreover, it has never been heard that he (s) used to perform supererogatory prayers in the mosque. Instead he used to perform them home, supererogatory night prayers (tahajjud), the two sunna rak'a of dawn's prayer and so on. If the supererogatory prayers were better to be performed in the mosque, he (s) would have performed them only in the mosque, or most of the time; missing only some of them sometimes, especially as his house was next to the mosque.⁴⁸

Part III The multiplication of the prayer's reward is specific to men

Most scholars think that this multiplication concerns men excepting women; as it is better for women to perform their prayers, compulsory or supererogatory, in their houses.⁴⁹

⁴⁶ Reported by al-Bukhārī (256/1), H. 698.

⁴⁷ See: *Subul as-salām*, aṣ-Ṣan'ānī (217/2).

⁴⁸ *Sharḥ Fatḥ al-Qadīr* (182/3).

⁴⁹ See: *Sharḥ Fatḥ al-Qadīr* (182/3), *Mawāhib al-Jalīl* (117/2), *al-Majmū'* (169/4), *Maṭālib 'ulī an-nuhā* (383/2).



Evidence:

1. Ibn 'Umar (r2) narrated: The Messenger of Allah (s) said: **Do not prevent women from going to the mosques, though it is better for them to pray in their houses.**⁵⁰
2. Umm Ḥumayd, Abū Ḥumayd as-Sā'adī's wife (r2) narrated that once she said to the Prophet (s): O Messenger of Allah, I love praying with you. He said: **I know that you love praying with me, but your offering the prayer in a closed room is better than your offering it in a room, and your offering it in a room is better than your offering it in the courtyard of your house; and your offering it in the courtyard is better than your offering it in the neighbouring mosque, and your offering it in the neighbouring mosque is better than your offering it in the mosque of mine.** The narrator said: She obeyed and had her mosque built in the most remote place of her house where she used to pray until she met Allah Most High.⁵¹

Ibn Khuzayma (m) classified this ḥadīth in a specific chapter: "The preference for a woman to pray in a closed room instead of a room, and in the neighbouring house instead of the Mosque of the Prophet (s)." Even if a prayer in the Mosque of the Prophet is equal to a thousand prayers in any other mosque; the words of the Prophet (s): **A prayer performed in this mosque of mine is better than a thousand prayers in any other mosques**, are aimed at the men's prayers excepting women's prayers.⁵²

There is no discrimination in favour of men against women, instead, it is a grace of Allah who gives it to whom He wants; and who knows, maybe Allah multiplies the rewards of women even better than men for their obedience to the Messenger of Allah (s) and their self-effacing manners.

Maybe there is wisdom in this multiplication of good deeds specific to men excepting women: the emergence of the force and power of Islam and the abundance of its followers was a duty that rested on men's shoulders, not women, as the constructions of mosques and their frequentation generally

⁵⁰ Reported by Abū Dāwūd (155/1), H. 567, authenticated by al-Albānī in *Ṣaḥīḥ sunan Abī Dāwūd* (169/1), H. 567.

⁵¹ Reported by Ibn Khuzayma in his *Ṣaḥīḥ* (95/3), H. 1689, al-Albānī made it ḥassan (good) in *Ṣaḥīḥ mawārid az-ẓama'ān* (202/1), H. 286.

⁵² *Ṣaḥīḥ Ibn Khuzayma* (94/3).



speaking, and especially the Sacred Mosque, like the Prophet's Mosque and Elia's Mosque: they are consequent to men's work, not women. The glorious Qur'an implied this in the words revealed by Allah, exalted be He:

لَمَسْجِدٍ أُسِّسَ عَلَى التَّقْوَىٰ مِنْ أَوَّلِ يَوْمٍ أَحَقُّ أَنْ تَقُومَ فِيهِ ۚ فِيهِ رِجَالٌ
يُحِبُّونَ أَنْ يَتَطَهَّرُوا ۗ وَاللَّهُ يُحِبُّ الْمُطَهَّرِينَ

“A mosque founded on righteousness from the first day is more worthy for you to stand in. Within it are men who love to purify themselves; and Allah loves those who purify themselves.” (Surat at-Tawba: 108).

And His word:

فِي بُيُوتٍ أُذِنَ لِلَّهِ أَنْ تُرْفَعَ وَيُذْكَرَ فِيهَا اسْمُهُ يُسَبِّحُ لَهُ فِيهَا بِالْغُدُوِّ
وَالْآصَالِ (٣٦) رِجَالٌ لَّا تُلْهِيهِمْ تِجَارَةٌ وَلَا بَيْعٌ عَن ذِكْرِ اللَّهِ وَإِقَامِ
الصَّلَاةِ وَإِيتَاءِ الزَّكَاةِ يَخَافُونَ يَوْمًا تَتَقَلَّبُ فِيهِ الْقُلُوبُ وَالْأَبْصَارُ
(٣٧)

“In mosques which Allah has ordered to be raised and that His name be mentioned therein; exalting Him within them in the morning and the evenings are men whom neither commerce nor sale distracts from the remembrance of Allah and performance of prayer and giving of zakā. They fear a Day in which the hearts and eyes will fearfully turn about.” (Surat an-Nūr: 36-37).

Part IV Praiseworthiness of supererogatory prayers for foreigners in the Sacred Mosque

Imam Mālik singled himself out for making a distinction between a resident and a foreigner. Ibn al-Qāsim reported from Imam Mālik (m) that according to him, it is better to perform supererogatory prayers in one's house instead of the Prophet's



Mosque (s), excepting for the foreigners: the Imam prefers for them to pray in the Prophet's Mosque (s).⁵³

Significance: If Imam Mālik established a distinction between the resident and the foreigner in the Prophet's Mosque (s), the Sacred Mosque has even greater priority.

This is a relevant word as the foreigner has no house at all in Mecca, may Allah honour it. He is therefore not concerned by these ḥadīths; wisdom of praying in one's house cannot come into effect for those who stay in hotels or similar. The point of praying at home is to avoid making one's house like a grave, to attract tranquillity, mercy and blessing for its inhabitants, for the children to learn from their family how to pray and gain perseverance in it, for an atmosphere animated by faith to beam forth inside the house and for being more sincere and avoiding ostentation. The Islamic law encouraged performing supererogatory prayers at home for all this, but it does not concern foreigners.

On the other hand, the Sacred Mosque is one of the greatest sites of Islam: it is the first House established for worship on earth, it is a place to undertake a journey to, it is sunna to multiply retreat and ṭawāf inside it and faith gets stronger by looking at the Honourable Ka'ba, the believers circumambulating and the assiduity of worshippers. This is why it is good for the foreigner to stay as much as possible for him inside the Mosque, as he came to Mecca only for it.

It may be the same for women, with the condition of not multiplying too many comings and goings between the hotel and the Mosque in order to avoid being exposed to trouble. Instead, it is better for them to remain in a retreat inside the Mosque, as they left their houses and travelled for this purpose; or maybe to stay at the hotel, which can help them in their worship; Allah knows best.⁵⁴

Summary:

We shall summarize by saying that the multiplication concerns the reward and merit, not the rituals. It is specific to the sanctity of the Sacred Mosque, not the region of the whole Sanctuary. It is also specific to compulsory prayers, not supererogatory ones and this blessing is bestowed only to men, in order to ward off hardship for women and to not hinder the latter in their other duties; Allah knows best.

⁵³ *Kifāya aṭ-ṭālib* (535/2). See: *'Umda al-qārī* (264/5).

⁵⁴ *Faḍā'il Makka al-mukarrama*, p. 159.



Section III

The Rules Concerning Ṭawāf

Part I Prohibited times for prayer

The ulama agreed on five prohibited times for supererogatory prayers – between prohibited and disliked times, they are the following:

1. After the prayer of Fajr until the sun rises.
2. After sunrise until the sun is a spear's length above the horizon (i.e. when a distance equal to the sun's diameter appears between the sun and horizon).
3. When the sun is at its peak or its highest point in the sky until it moves on. Imam Mālik does not see this as disliked (makrūh).
4. After the 'Aṣr prayer until the sun sets.
5. When the sun yellows before the sunset until it has set.⁵⁵

Evidence:

1. 'Umar (r) narrated: **The Prophet (s) forbade praying after the morning prayer till the sun rises and after the 'Aṣr prayer till the sun sets.**⁵⁶
2. 'Uqba Ibn 'Āmir al-Juhanī (r) narrated: **There are three times at which the Messenger of Allah (s) forbade us to pray or to bury our dead: when the sun begins to rise till it is fully up, when the sun is at its**

⁵⁵ See: *Bidāya al-mujtahid*, Ibn Rushd (73/1), *l'ām as-sājid bi-aḥkām al-masājid*, az-Zarkashī, p. 105.

⁵⁶ Reported by al-Bukhārī (211/1), H. 556, Muslim (566/1), H. 826.



height at midday till it passes over the meridian, and when the sun draws near to setting⁵⁷ till it sets.⁵⁸

There is obvious and manifest wisdom in the prohibition to pray at certain times in spite of the importance and blessing of the prayer. Allah Most High imposed on His servants various kinds of rituals and good deeds. As Allah imposes orders, He imposes prohibitions: Allah orders and Allah forbids; He ordered His servants to pray, and He forbade them to pray at certain determinate times, He ordered them to fast and he forbade them to fast at certain times, the Day of the Fast Breaking and the Day of Sacrifice. Within all this and much more, hard to fathom, we find instructions for the Muslim urging him to accept and comply with what Allah orders him and forbids him, without arguing or debating. He has only to say **سَمِعْنَا وَأَطَعْنَا** “We hear and we obey” (Surat al-Baqara – The Cow: 285), cheerful and confident in his heart.

Part II Ṭawāf and its prayer at the prohibited times

The ulama diverged on the performance of ṭawāf and its prayer during the prohibited times. There are three opinions. **The prevailing one:** it is permitted all the time, according to the Shāfi‘ī School⁵⁹, the Ḥanbalī School⁶⁰, Abū Thawr, Ishāq, Dāwūd az-Zāhirī and Ibn al-Mundhir, they said: it is the view of the majority of the companions and those who came after (like Ibn ‘Umar, Ibn ‘Abbās, Ibn Zubayr, Jābir, Abū ad-Dardā', al-Ḥassan, al-Ḥussein, ‘Aṭā', Ṭawūs, al-Qāsim Ibn Muḥammad and ‘Urwa Ibn Zubayr (rp)).⁶¹ Wisdom of the permission is obvious: the need of the people for ṭawāf and its prayer at any time.

Evidence:

1. Jubayr Ibn Muṭ‘im (r) narrated: The Prophet (s) said: **O Banū ‘Abd Manāf, do not prevent anyone from circumambulating this House or praying at any time of the night or day he wishes.**⁶²

⁵⁷ See: *Sharḥ an-Nawawī ‘alā ṣaḥīḥ Muslim* (114/6).

⁵⁸ Reported by Muslim (568/1), H. 831.

⁵⁹ See: *al-Majmū‘* (158/4).

⁶⁰ *Al-Mughnī* (425/1).

⁶¹ See: *Muṣannaf Ibn Abī Shayba* (180/3), n° 13244 – 13254, *Muṣannaf ‘Abd ar-Razzāq* (62/5), n°9005 – 9007, 9011, *al-istidhkār* (209/4).

⁶² Reported by at-Tirmidhī (220/3), H. 868 who said it is ḥassan ṣaḥīḥ (good sound), authenticated by al-Albānī in *Ṣaḥīḥ sunan at-Tirmidhī* (447/1), H. 868.



Significance: The permission of ṭawāf and its prayer is at any time for those near the glorious House, because this ḥadīth encompasses all times. All the ḥadīths about the five prohibited times for prayer do not concern ṭawāf and its prayer.⁶³

At-Tirmidhī (m) said: Most scholars agreed on the fact that it is disliked (makrūh) to pray after ‘Aṣr prayer until the sun sets and after Fajr prayer until the sun rises, subject to exceptions, like the prayer in Mecca after ṭawāf after ‘Aṣr prayer until sun sets and after Fajr until the sun rises.⁶⁴

2. Mujāhid related that Abū Dharr (r) narrated: I heard Allah’s Messenger (s) say: **Do not pray after ‘Aṣr prayer until the sun sets, and after Fajr prayer until the sun rises, except in Mecca, except in Mecca, except in Mecca.**⁶⁵

Ibn ‘Abd al-Birr (m) said: If this ḥadīth it is not strong (qawī) by itself, because of the weakness of Ḥumayd Mawlā ‘Afrā’, and because Mujāhid did not hear Abū Dharr; the content of Jubayr Ibn Muṭ‘im’s ḥadīth makes it strong (qawī), as well as the words of most scholars about it, and also because Ibn ‘Abbās, Ibn ‘Umar, Ibn Zubayr, al-Ḥassan, al-Ḥussein, ‘Aṭā’, Ṭāwūs, Mujāhid, al-Qāsim Ibn Muḥammad and ‘Urwa Ibn az-Zubayr were circumambulating after ‘Aṣr prayer and some of them also after Fajr prayer and they used to pray two rak‘a after performing ṭawāf at those times.⁶⁶

3. ‘Abd al-‘Azīz Ibn Rufay‘ narrated: I saw ‘Abd Allah Ibn az-Zubayr (r) performing ṭawāf after the morning prayer (Fajr) and praying two rak‘a.⁶⁷

Significance: No companion would have done such a thing following his own mind. Therefore, this position is elevated and attributed to the Prophet (s).

4. Ibn Taymiya (m) presented many arguments about the permission of performing ṭawāf and praying its two rak‘a at any time, even the prohibited ones:

⁶³ See: *Sharḥ ṣaḥīḥ al-Bukhārī*, Ibn Baṭṭāl (310/4).

⁶⁴ *Sunan at-Tirmidhī* (350/1).

⁶⁵ Reported by Ibn Khuzayma in his *Ṣaḥīḥ* (226/4), H. 2748, authenticated by al-Albānī in *as-Silsila aṣ-Ṣaḥīḥa* (1212/7), H. 3412.

⁶⁶ *At-Tamhīd* (45/13).

⁶⁷ Reported by al-Bukhārī (588/2), H. 1550.



The first one: There is in the ḥadīth of Jubayr Ibn Muṭ'im (r) a generalization of the times, how is it possible to say that it does not encompass the prohibited ones?

The second one: This generalization is not limited by any illustration, text or consensus. A prohibiting ḥadīth is characterized by a text and consensus. Generalization for permitted things prevails on generalization for prohibited things.

The third one: People never stopped praying or circumambulating the House since it was built by Ibrāhīm al-Khalīl (p). The Prophet (s) and his companions were praying in front of it and circumambulating it before the migration. After the conquest of Mecca the numbers of worshippers performing prayers and ṭawāf increased. If there was a ban on the ṭawāf prayer during the five prohibited times, the Prophet would have publicly forbade it for the need of the Muslims and for us to know. No Muslim ever related that the Prophet (s) forbade this, whereas ṭawāf at the two extremities of the day is more common and easier.

The forth one: an interdiction is an obstruction to the interests of praying and circumambulating.⁶⁸

Part III Specific exception for ṭawāf and its prayer

The ulama diverged on the exception: is it specific for the ṭawāf prayer or does it include all supererogatory prayers? There are two opinions, **the prevailing one is:** it is specific to ṭawāf and its prayer, this is the view of the majority.⁶⁹

Evidence:

1. 'Umar (r) narrated: **The Prophet (s) forbade praying after the morning prayer till the sun rises and after the 'Aṣr prayer till the sun sets.**⁷⁰
2. 'Uqba Ibn 'Āmir al-Juhanī (r) narrated: **There are three times at which the Messenger of Allah (s) forbade us to pray or to bury our dead: when the sun begins to rise till it is fully up, when the sun is at its**

⁶⁸ *Majmū' fatāwa Ibn Taymiya* (184 – 188/23).

⁶⁹ See: *Radd al-muḥtār* (372/1), *Sharḥ az-Zarqānī 'alā al-Muwaṭṭa'* (66 – 67/2), *al-Mughnī* (432/1).

⁷⁰ Reported by al-Bukhārī (211/1), H. 556, Muslim (566/1), H. 826, already quoted.



height at midday till it passes over the meridian, and when the sun draws near to setting till it sets.⁷¹

Significance: The interdiction on prayer at these times includes Mecca and the rest of the world and the only exception about it concerns the ṭawāf and its prayer, nothing else.

Ibn Taymiya (m) said: What has been forbidden is in order to avoid trouble, but it may become permitted for a prevailing advantage, like the prayer following ṭawāf. Concerning the other supererogatory acts of worship, they do not have any prevailing interest for making exceptions; people do not need them during their prohibited time because of the large period of time during which prayers are allowed. Instead, in the prohibition of some periods lie other interests: **like** regaining one's strength after having undergoing the tiredness due to worship, as the body recovers by sleeping for example. In this regard Mu'ādh (r) said: I sleep and then get up. I sleep and hope for Allah's reward for my sleep as I seek His reward for my night prayer.⁷² **Or like** making people crave for the prayer and giving them the love of it: if it is forbidden for some periods of time, people are more eager when they come back to it, minds are more focused and enthusiastic over something which is only for some times and not perpetual. **Because** something perpetual can get boring, wearisome and tiresome; establishing only some periods of time for offering the prayers makes the tediousness disappear, and there are others kinds of benefits in prohibiting absolute never-ending worship. Therefore the prohibition drives away evils and attracts benefits without any loss.⁷³

Part IV Multiplying ṭawāf for people living outside

Mecca

It is recommended (mustahabb) to make many circumambulations (ṭawāf) at any time for people living in Mecca and for anyone coming from outside, because

⁷¹ Reported by Muslim (568/1), H. 831; already quoted.

⁷² Reported by al-Bukhārī, his version (1578/4), n°4086, Muslim (1456/3) n°1733.

⁷³ *Majmū' fatāwa Ibn Taymiya* (187 – 188/23).



Allah Most High characterized this secure city among all others in the world by the circumambulation.

The ulama diverged on the accomplishment of supererogatory prayers and ṭawāf in the Sacred Mosque, which one is the best? There are two opinions⁷⁴. **The prevailing one** is that ṭawāf is better than supererogatory prayers for people coming from outside Mecca whereas for people living in Mecca, supererogatory prayers are better than ṭawāf; this is the opinion of the majority and reported by Ibn ‘Abbās (r2), ‘Aṭā’, Sa‘īd Ibn Jubayr and Mujāhid, may Allah have mercy on them.⁷⁵

Evidence:

1. If the foreigners devote their time to prayers, they miss circumambulating without any possibility to recover; therefore priority goes to what cannot be made up for.
2. Ṭawāf includes a prayer of two rak‘a in addition to supplications and remembrance. It is specific to this place whereas the prayer can be performed in any clean place.
3. Ṭawāf is preferred due to time and place; therefore it has priority over prayer.⁷⁶
4. Prayer is better for people living in Mecca, as prayer in itself is better than ṭawāf because the Prophet (s) compared ṭawāf to prayer.

⁷⁴ See: Aṭ-Ṭawāf wa aḥamm aḥkāmuhu, Dr. Sharaf Ibn ‘Alī ash-Sharīf, majalla al-buḥūth al-islāmiya, Ryad n°44 (Dhu-l-qa‘ida – ṣafar, 1415 – 1416 H), p. 188.

⁷⁵ See: *al-Majmū‘* (56/8), *al-Mughnī wa ash-sharḥ al-kabīr* (586/3).

⁷⁶ See: *Majmū‘ fatāwa Ibn Taymiya*, (196/26).

