

81941 - Did the wives of the Prophet (peace and blessings of Allaah be upon him) perform Hajj without a mahram?

the question

The wives of the holy Prophet (peace and blessings of Allaah be upon him) performed Haj many times after his death. Can this be taken as a daleel that a woman may perform Haj without a mahram but with a group of women who have their Mahrams with them.

Detailed answer

The correct scholarly view is that that of the Hanafis and Hanbalis who say that it is not permissible for a woman to travel for Hajj or for any other purpose without a mahram, because the Prophet (peace and blessings of Allaah be upon him) said: “No woman should travel except with a mahram.” Narrated by al-Bukhaari (1862) and Muslim (1341).

This has already been discussed in the answers to questions no. [3098](#), [34380](#) and [47029](#).

But some scholars, such as the Shaafa’is and Maalikis, and some of the salaf, were of the view that it is permissible for a woman to travel for Hajj without a mahram, if she travels with a trustworthy group.

They quoted as evidence that which the questioner mentions, that the wives of the Prophet (peace and blessings of Allaah be upon him) did Hajj without a mahram. That is mentioned in the report narrated by al-Bukhaari (1860), that ‘Umar ibn al-Khattaab (may Allaah be pleased with him) gave permission to the wives of the Prophet (peace and blessings of Allaah be upon him) during the last Hajj that he performed, and he sent ‘Uthmaan ibn ‘Affaan and ‘Abd al-Rahmaan ibn ‘Awf with them.

The scholars who hold the first view quote a number of things as evidence, including the following:

1 – They said that it does not say in the hadeeth that they did not have a mahram with them. Perhaps their mahrams were with them in the caravan of Hajj itself, and ‘Umar ibn al-Khattaab sent ‘Uthmaan ibn ‘Affaan and ‘Abd al-Rahmaan ibn ‘Awf with them as an additional sign of respect and for extra peace of mind. It cannot be thought that the Sahaabah would go against the Prophet’s prohibition on women travelling without mahrams, especially since some reports – even though their isnaads are somewhat questionable – indicate that their mahrams were present.

Ibn al-Jawzi narrated in al-Muntazam, concerning the events of 23 AH, that Abu ‘Uthmaan, Abu Haarithah and al-Rabee’ said: ‘Umar did Hajj with the wives of the Prophet (peace and blessings of Allaah be upon him), with whom were their mahrams before whom they did not have to observe hijab. At the front of their caravan he put ‘Abd al-Rahmaan ibn ‘Awf and at the rear he put ‘Uthmaan ibn ‘Affaan ...

Moreover, it is highly unlikely that their mahrams would not be present, since so many people travelled for Hajj with them from Madeenah. It is most likely that there would be a brother, grandfather, maternal uncle, paternal uncle or another mahram through breastfeeding, because breastfeeding of other people’s children was very common at that time.

2 – If we assume that there were no mahrams with them, then that may have been an ijtihaad on their part. It is well known that the ijtihaad of the Sahaabah cannot be accepted if it goes against a sound text narrated from the Prophet (peace and blessings of Allaah be upon him).

Al-San’aani (may Allaah have mercy on him) said:

That cannot be taken as evidence, because there is no consensus.

Subul al-Salaam (2/930).

3 – A third group of scholars argued that this was something that applied only to the wives of the Prophet (peace and blessings of Allaah be upon him), because they were the Mothers of the Believers, and all men were their mahrams.

Abu Haneefah (may Allaah have mercy on him) said:

All the people were mahrams for ‘Aa’ishah, so no matter who she travelled with, she was travelling with a mahram, but that does not apply for any women other than her. End quote.

‘Umdat al-Qaari’ (10/220).

But this answer of Abu Haneefah is not acceptable, because the wives of the Prophet (peace and blessings of Allaah be upon him) were the Mothers of the Believers with regard to marriage, but they were not mahrams. If the Mothers of the Believers were mahrams it would have been permissible for them to take off their hijabs in front of them, be alone with them etc., and no one would suggest such a thing.

Ibn Taymiyah says in Manhaaj al-Sunnah (4/207) of the wives of the Prophet (peace and blessings of Allaah be upon him): They are the Mothers of the Believers in the sense that it is haraam for anyone else to marry them, not in the sense that they are mahrams. End quote.

The best answer is the first one.

To conclude: it is not permissible to reject saheeh hadeeths because of interpretations of some of the deeds of the Sahaabah which may be interpreted in more than one way. What is required is to follow that which is proven and not that which is subject to different interpretations.

Shaykh ‘Abd al-‘Azeez ibn Baaz (may Allaah have mercy on him) was asked: They say that ‘Aa’ishah (may Allaah be pleased with her) did Hajj with ‘Uthmaan without a mahram.

He replied:

This requires evidence. It is not permissible to say that she did Hajj without a mahram with no evidence. She must have had a mahram. She had her brother’s sons, she had her brother ‘Abd al-Rahmaan, she had the sons of her sister Asma’. The one who says that she did Hajj without a mahram is lying unless he can offer proof. Moreover, even if we assume that she did Hajj without a mahram, then she was not infallible; none of the Sahaabah were infallible. Evidence is that which was said by Allaah and His Messenger; the view of So and so is not evidence. Whatever goes against the Sunnah cannot be regarded as evidence. Evidence is to be found in

the saheeh Sunnah. This is what is well known among the scholars, and it is that on which there is consensus.

Al-Shaafa'i (may Allaah have mercy on him) said: The people are unanimously agreed that once the Sunnah of the Messenger of Allaah (peace and blessings of Allaah be upon him) has become clear to a person, he has no right overlook it and follow the view of any person.

Maalik (may Allaah have mercy on him) said: The view of any of us may be accepted or rejected, except the occupant of this grave (meaning the Prophet (peace and blessings of Allaah be upon him)).

What is meant is that what is required of the people of Islam and the believers is to accept the Sunnah, and it should not be ignored because of the views of this person or that person.

Moreover, 'Aa'ishah should not be thought of as going against the Sunnah, when she was a well known faqeehah and the most knowledgeable of the world's women, and she is the one who heard ahaadeeth from the Messenger of Allaah (peace and blessings of Allaah be upon him). End quote.

Fataawa al-Shaykh Ibn Baaz (25/361, 362)

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

If someone were to say: This hadeeth does not say that there was a mahram with them. Can it be said that the case of the wives of the Prophet (peace and blessings of Allaah be upon him) was different because they were the Mothers of the Believers, not in the sense of their being mahrams but as a sign of respect? Or can it be said that nothing is said here about mahrams, but he sent these two noble Sahaabis with the mahrams? The first is possible, and so is the second.

If we accept the principle that the ambiguous should be understood in the light of what is clear and definitive, what can we say?

The answer is that we accept the second possibility, and we say that there must have been mahrams with them, but these two noble Sahaabis were sent with them as an honour and a sign of respect towards the Mothers of the Believers (may Allaah be pleased with them). End quote.

Sharh Kitaab al-Hajj min Saheeh al-Bukhaari (tape no. 19, side 2).

And Allaah knows best.