95374 - Ruling on registering with a group that will stay overnight outside of Mina

the question

What is the ruling on staying with the groups that go for Hajj and their tents are in Muzdalifah, outside the boundaries of Mina? Are these tents an extension of Mina or not? Is there anything wrong with going with these groups? Does that affect the validity of one’s Hajj at all?.

Detailed answer

Praise be to Allah.

Firstly:

Staying overnight in Mina on the night before the eleventh and twelfth of Dhu’l-Hijjah is obligatory according to the majority of scholars, and the one who fails to do it without an excuse has to offer a sacrifice of a sheep, to be slaughtered in Makkah and its meat distributed to the poor of the city.

If a person cannot find any room in Mina, he should stay where the tents end, even if it is in Muzdalifah, because Allaah says (interpretation of the meaning):

“So keep your duty to Allaah and fear Him as much as you can”

[al-Taghaabun 64:16]

“Allaah burdens not a person beyond his scope”

[al-Baqarah 2:286]

Shaykh Ibn ‘Uthaymeen (may Allaah have mercy on him) was asked about a person who did Hajj and stayed outside of Mina: what does he have to do? What are the guidelines about staying overnight in Mina?

He replied: If a person cannot find any room in Mina, he should stay where the tents end. But if he can find room (in Mina) then he must stay there overnight.

The guidelines about staying overnight are that he should be in Mina for most of the night. But if he leaves Mina, for example to do tawaaf al-ifaadah at the beginning of the night, then he is not able to go back before dawn because of the crowds, there is no sin on him.

And he (may Allaah have mercy on him) said: It is obligatory to look for a place in Mina before he decides to stay in Muzdalifah. If he cannot find a place (in Mina) then he may go to Muzdalifah and stay there. He does not have to go to Mina and spend most of the night driving around, or looking for a spot on the roadside among the vehicles, because that may put him in danger. We say: If you cannot find a place in Mina, then stay in Muzdalifah, where the tents end, and you do not have to do anything so long as you looked for a place but did not find any, because Allaah does not burden any soul beyond its scope. End quote from Fataawa al-Shaykh Ibn ‘Uthaymeen (23/240, 241).

Shaykh Ibn Baaz (may Allaah have mercy on him) said: If the pilgrim tries hard to look for a place in Mina to spend the night there, but he does not find any, there is no sin on him if he stays outside of it, and he does not have to offer any fidyah, because of the general meaning of the words of Allaah (interpretation of the meaning):

“So keep your duty to Allaah and fear Him as much as you can”

[al-Taghaabun 64:16]

And the Prophet (peace and blessings of Allaah be upon him) said: “If I enjoin you to do a thing then do as much of it as you can.”

End quote from Fataawa al-Shaykh Ibn Baaz (16/149).

Based on that, he must register with a group that will spend the night in Mina, or he may register with a group that will spend the night in Muzdalifah, but he should have the intention of looking for a place in Mina. If he finds a place he must stay there for half the night, but if he does not find a place there is no sin on him if he stays in Muzdalifah.

And Allaah knows best.