

Abdullaah Jalil

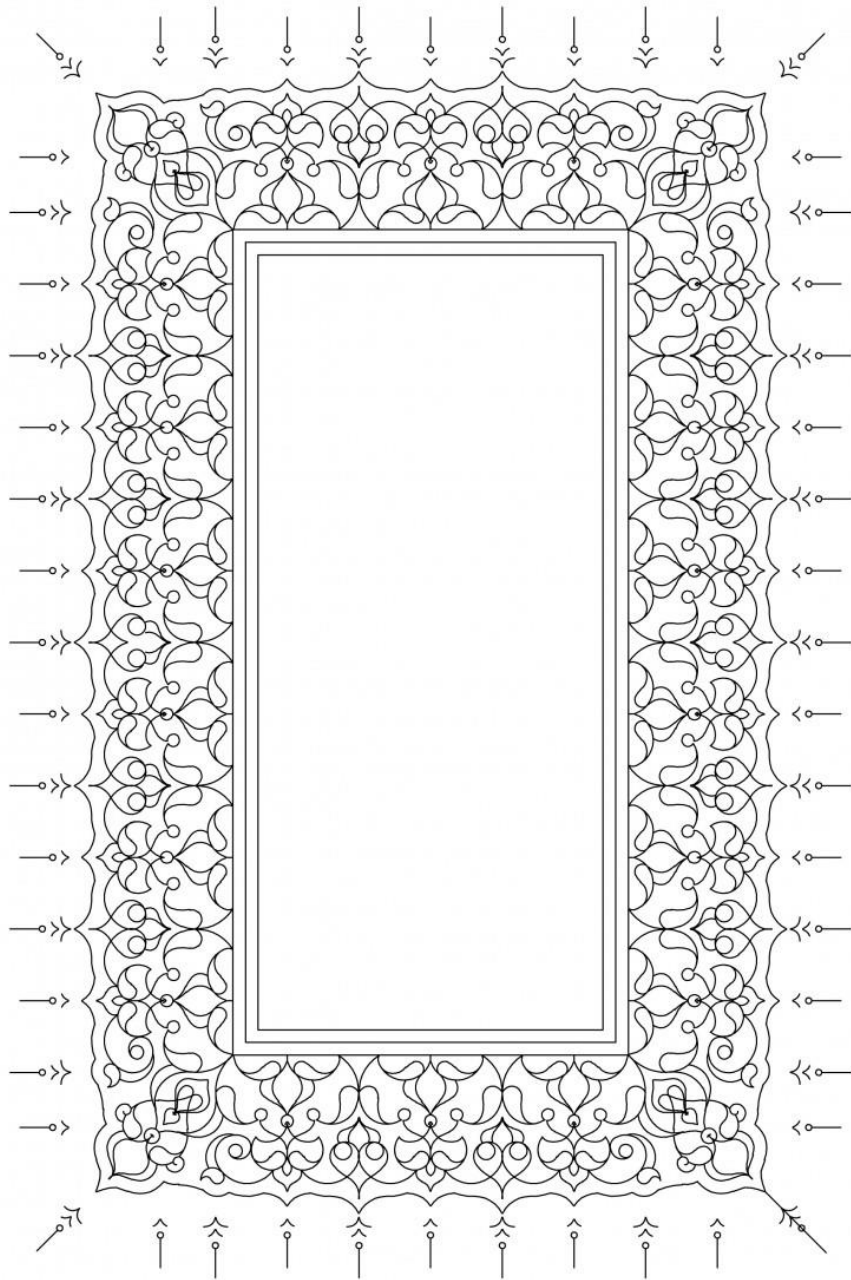
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Fiqh and
Management of

Hajj & Umrah



WISDOM
PUBLICATION



FIQH AND MANAGEMENT OF ḤAJJ AND 'UMRAH

THE MALAYSIAN PERSPECTIVE

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THE MALAYSIAN PERSPECTIVE

ABDULLAAH JALIL

Wisdom Publication



WISDOM
PUBLICATION

Published by:
WISDOM PUBLICATION NS0078217-W
No. 110, Jalan Dillenia 3, Laman Dillenia,
Nilai Impian,
Nilai, Negeri Sembilan.
Tel: 06 794 6394
Email: wisdompublisher@gmail.com
Blog: www.wisdompublication.blogspot.com

Copyright © 2014 Wisdom Publication
ISBN 978-967-10299-9-2

First Edition
First Printing: June 2014
This Printing: September 10, 2019

Design and Printing:
ZARASA ENTERPRISE,
001372482-A,
C-7-G, Jalan Jati 9, Acacia Avenue, Putra Nilai,
71800 Nilai, Negeri Sembilan.
Tel: +6019-282 6924
Email: zarasaenterprise@gmail.com

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Allah ﷻ said (Āli ʿImran: 96-97):

إِنَّ أَوَّلَ بَيْتٍ وُضِعَ لِلنَّاسِ لَلَّذِي بِبَكَّةَ مُبَارَكًا وَهُدًى لِّلْعَالَمِينَ (*) فِيهِ آيَاتٌ بَيِّنَاتٌ
مَّقَامُ إِبْرَاهِيمَ وَمَنْ دَخَلَهُ كَانَ آمِنًا وَلِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ
سَبِيلًا وَمَنْ كَفَرَ فَإِنَّ اللَّهَ غَنِيٌّ عَنِ الْعَالَمِينَ (*)

Meaning: “[96] The first House (of worship) appointed for men was that at Bakka: full of blessing and of guidance for all kinds of beings: [97] In it are signs manifest; (for example), the Station of Abraham; whoever enters it attains security; pilgrimage thereto is a duty men owe to Allah—those who can afford the journey; but if any deny faith; Allah stands not in need of any of His creatures..”

DEDICATION

To my parents: Hj Jalil Omar and Hapisah Ismail,

And all my family members,

To my beloved wife: Suraiya Osman,

And all my dearly loved children: Abdurrahman al-Munib, Maryam al-Safiyah, Sara al-Ameena and Ibtisam al-Nafeesa.

FOREWORD



In the name of Allah, the Most Gracious, and the Most Merciful.

Praise be to Allah ﷻ, The Almighty and The Most Glorified. Peace be upon the Prophet Muhammad ﷺ, his family and companions ﷺ, May Allah bless them with honour and graces.

This is the first academic writing of Mr. Abdullaah Jalil in the subject of Hajj and 'Umrah. It combines between *fiqh* (Islamic jurisprudence) and managerial perspectives of Hajj and 'Umrah with specific reference to the Malaysian context. The author has adopted a new and fresh way in discussing the subject and it might be – *wallahu a'lam* - the first of its kind. We, as the publisher, feel very honoured and grateful to have the privilege for the publication of this very book.

May this book enrich and develop the discipline of Hajj and 'Umrah in a modern way and approach. We really hope that this book will benefit the *ummah* in many ways and may Allah ﷻ grant the author and anyone who contributed directly or indirectly to the materialization of this book His mercy, blessing and forgiveness.

Thank you and Wassalamu'alaikum.

Best Regards,

WISDOM PUBLICATION

INTRODUCTION

In the name of Allah, the Most Gracious, and the Most Merciful; All praises are only for Allah ﷻ, the Almighty, who created the whole heavens and earths. Peace be upon the Prophet Muhammad ﷺ, his family and companions, May Allah bless them with honour and graces:

Hajj could be considered as the biggest annual mass assembly of Muslims or even the people of the earth. It is estimated that about two or three millions of people congregate altogether in the *manāsik / mashā'ir* of Hajj every year to perform this fifth pillar of Islam. Although Hajj can be viewed as the miracle of Islam, it also poses managerial issues and challenges for the authorities and operators to ensure the smooth and efficient Hajj activities taking place.

This book is an effort by the author to explore the management of Hajj and 'Umrah as practiced in Malaysia, particularly by Tabung Haji. Malaysia has been recognized by many parties, including the Saudi Arabia government, as the best country in managing its Hajj groups. For the first edition of this book, the author does not aim to be comprehensive in discussing all aspects of Hajj management. Nevertheless, the author hopes that all the main aspects and issues have been highlighted and discussed in this edition.

The discussion of Hajj and 'Umrah in this book shall cover the two main aspects (as its title suggests):

1. The Shariah aspect of Hajj and 'Umrah; and
2. The Managerial aspect of Hajj and 'Umrah

The discussion of the *Fiqh* aspect of Hajj and 'Umrah could be found in both classical and contemporary works. However, the managerial aspect of Hajj and 'Umrah is somewhat new and not many references were written in this field. Furthermore, the managerial aspect could be viewed from three different levels:

- National level
- Agency level
- Individual level

This book will be revisited and reviewed continuously from time to time in order to deal with the developments occur in the managerial practices of Hajj and ‘Umrah, particularly in Malaysia.

In completing this book, the author attempted to adopt the content and methodology adopted by *madhhab* al-Imām al-Shāfi‘i and Tabung Haji in preaching the Hajj and ‘Umrah to the readers. Thus, Tabung Haji’s website and publications are the main references for this book. This is to ensure that the learner and reader of this book will be exposed to the Malaysian approach of Hajj and ‘Umrah which is basically based on the *madhhab* of al-Imām al-Shāfi‘i – one of the four main Sunni schools of Islamic jurisprudence - that is recognized globally by the Islamic jurists and scholars. Notwithstanding, the process is carried out while keeping the originality of the author’s works and efforts in this subject.

The author sincerely hopes that this book would benefit the readers, students as well as academicians in learning and discussing Hajj and ‘Umrah from two different aspects: Fiqh and Management. May Allah ﷻ forgive the author on any mistake occurring in this book, the author will never claim for perfection and may anyone who found any mistake in this book convey it to the author in the best manner. The author also prays that all the efforts that have been spent by him to make this book a reality are accepted by Allah ﷻ as a good and sincere deed on “*the day whereon neither wealth nor sons will avail, but only he (will prosper) that brings to Allah a sound heart*”, (Al-Shu‘arā’:88-89).

وَمَا تَوْفِيقِي إِلَّا بِاللَّهِ الْعَلِيِّ الْعَظِيمِ،

وَصَلَّى اللهُ عَلَى سَيِّدِنَا مُحَمَّدٍ النَّبِيِّ الْأُمِّيِّ ذِي الْخُلُقِ الْعَظِيمِ، وَعَلَى آلِهِ وَصَحْبِهِ
وَتَابِعِيهِ الَّذِينَ اقْتَدَوْا بِهِ الْقَوِيمِ، فِي كُلِّ لَحْظَةٍ وَنَفْسٍ عَدَدَ مَا وَسِعَهُ عِلْمُ اللهِ
الْعَظِيمِ.

Author.

ABOUT THE AUTHOR



Abdullaah Jalil is a senior lecturer at the Faculty of Economics and Muamalat, USIM.

He obtained his MBA, with major in Islamic Banking and Finance (IBF), from IIUM and was awarded the Best Student Award of MBA (Islamic Banking and Finance) in August 2004. He completed his Bachelor's Degree in Shariah (Fiqh and Islamic Studies) (Hons) within three years time from Yarmouk University, Jordan with "First Class" or "Mumtaz" achievement - the first Malaysian with such achievement.

He has taught several subjects at the undergraduate and postgraduate levels, inter alia, Qawai'd Fiqh Muamalat, Halal and Haram in Islam, Application of Fiqh Muamalat, Management of Islamic Banking and Takaful Institutions, Fiqh Muamalat I, II & III. His areas of research interest are Islamic financial product development, Fiqh Muamalat application, Islamic banking and finance, Waqf and Shariah audit.

Currently, he is pursuing PhD in Islamic Finance at the International Centre for Education in Islamic Finance (INCEIF). He is also a member of Shariah Committee at Bank Rakyat, PruBSN Takaful and Koperasi Kakitangan USIM.

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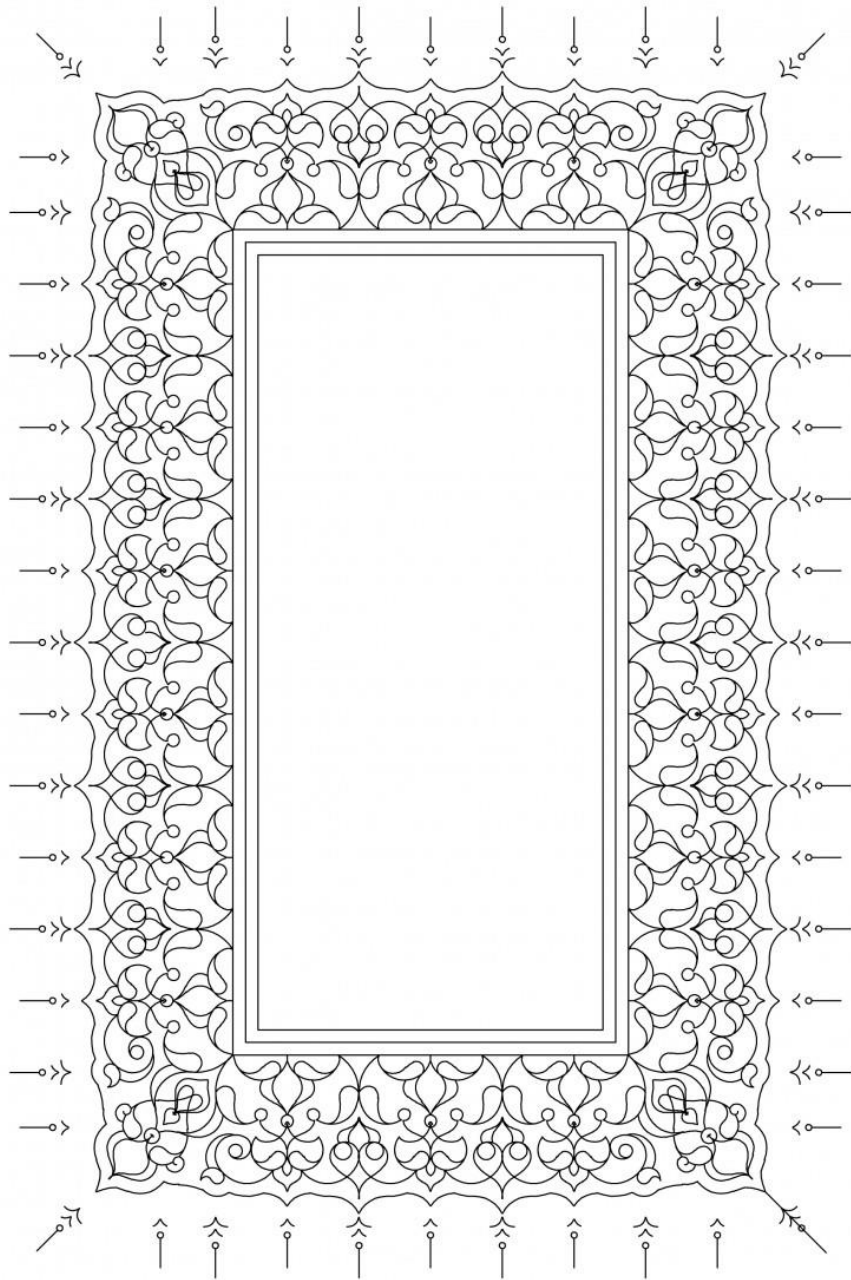
APPENDIX



Appendix 1: Act 535 - Tabung Haji Act 1995



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Fiqh and
Management of
Hajj & Umrah

This book is an effort by the author to explore the management of Hajj and 'Umrah as practiced in Malaysia, particularly by Tabung Haji. Malaysia has been recognized by many parties, including the Saudi Arabia government, as the best country in managing its Hajj groups. For the first edition of this book, the author does not aim to be comprehensive in discussing all aspects of Hajj management. Nevertheless, the author hopes that all the main aspects and issues have been highlighted and discussed in this edition. The discussion of Hajj and 'Umrah in this book shall cover the two main aspects: (i) the Shariah aspect of Hajj and 'Umrah; and (ii) the managerial aspect of Hajj and 'Umrah



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WISDOM
PUBLICATION

RM45.00

