

Q: 90 – Title: Should I perform Haj or first clear my debts?

Question

I am working in a company in Saudi Arabia, and I want to perform Hajj this year. So I need your guidance pertaining to whether I should perform Hajj or first clear my debts. Because I don't want to leave this time without performing Hajj.

Actually I have some debts (like Credit Card dues and personal loans from the bank). In fact I borrowed these debts to pay in installments since the last 5 years and I paid up to 2 years. Due to some unseen financial crisis, I became a defaulter and that which is balanced after my payment is increased and doubled with their interests. So I came to Saudi Arabia for work and to execute this situation. Now my situation is better than earlier. Also I spoke with one of my friendly lawyers to help me settle these financial debts through the mutual understanding in a onetime settlement with the concern banks. So I hope when I will go to my annual in the month of November (after this Hajj season) Insha Allah I will close all my debts.

I will be very grateful if you guide me as to what I should do earlier?

Answer

In the Name of Allah, the Most Gracious, the Most Merciful.

As-salamu 'alaykum wa-rahmatullahi wa-barakatuh.

At the outset we wish to point out that interest is haram and disastrous. Allah Ta'ala states in the Glorious Quran:

وَأَقْرِضُوا مِمَّا مَلَكَتْ أَيْمَانُكُم مِّنَ الرِّبَا إِن كُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ۚ فَمَاذَا بَدَأْتُم بِاللَّهِ وَرَسُولِهِ الْحَمِيلَ عَلَىٰ ثُلَاثِ ذُكُرٍ مُّثْقَلَةٍ ۖ بِرِيبَ الْوَاقِفِ الْوَحِيدِ ۚ
“And give up what still remains of the riba if you are believers. But if you do not, then listen to the declaration of war from Allah and his Messenger” [i]

In Sahih al-Bukhari, Imam Bukhari rahimahullah presents a narration where in Nabi Sallallahu

Alaihi Wa Sallam was shown various types of punishments. Hereunder is a part of the narration.

በጥቅምት ፳፻፲፱ ዓ.ም. በሚከተለው ስልጣን ተዘርፎ የሚገኝ የጋራ ጥያቄ አስተዳደር ነው፡

(1320) የጋራ ጥያቄ አስተዳደር

So we continued until we came to a river filled with blood. In the midst of the river there was a man standing and another man who had a rock in front of him. So the man in the river proceeded to the side to leave the river, but as soon as he came, the man with the rock threw it on his face, returning him back to where he initiated from. So whenever he intended to leave he was hit with the rock, returning him back to where he started from. So I asked, "Who is this?" So the two replied, "proceed further".

(Sahih-al-Bukhari, Hadith # 1320)

Then Nabi sallallahu alaihi wasallam was informed that this individual in the river was involved in interest. The Hadith goes on to mention:

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The one you saw in the river was one who was involved in interest.

(Ibid)

You should turn to Allah in repentance forengaging in the sin of interest and make lots of istighfar. Allah's messenger sallallahu alaihi wasallam has said

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(1520 □□□□□□ □□□ □□□□ □□□ □□□)

The one who is abundant in istigfar, Allah will create for him an exit from every narrow path, an opening from every distress, and Allah will sustain him from where he could not imagine.

. (SunanAbiDawood, Hadith # 1520)

Make a firm intention to abandon interest and never to deal with it in the future.

As for your inquiry, you have stated that your debts are still unpaid, but are soon to be settled. As a general rule, it will be permissible to perform Hajj despite being indebted, as long as you are readily paying the installments. Otherwise it would be Waajib to attain permission from the lender before the journey. If permission was not sought, then the obligation of Hajj would be fulfilled, but this action would be MakroohTahrimi (close to being Haram).[ii] [iii]

With regards to your situation, since your debts are to be soon settled and you are currently in Saudi Arabia, we advise that you perform your Hajj and continuously make efforts to pay your debts.

And Allah Ta'ala Knows Best

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[i] فقه الحنفی – 279

[ii] Aap Ke Masaail Aur Un Kaa Hal, vol. 4, page 34

[iii] فقه الحنفی ج 8 45-46