470854 - Calculating the Four Days for a Traveller

the question

I travelled from Jeddah to Abha; I set out on Sunday at noon and reached my destination in Abha at dawn on Monday. We are going to stay until Thursday, but Friday is the day when we will come back, meaning that from Monday to Thursday is four nights. As for Friday (Yawm al-Jumu`ah), it begins on the Thursday night, on which we will set out after `Asr or Maghrib prayer – I am not certain which, but it will be on Yawm al-Jumu`ah. Is it permissible for us to shorten our prayers and put them together?

Detailed answer

Praise be to Allah.

I.

The scholars differed regarding the length of time during which a person is still considered to be a traveller once he reaches the destination to which he travelled. The majority of scholars are of the view that it is four days, and others are of the view that it is twenty-one days. This applies if the traveller's prior intention was to stay there for that number of days. However, if he had not decided on a specific number of days – rather he was going there for some purpose and as soon as it was completed, he intended to go back – then the concession granted to travellers applies until he has fulfilled the purpose of his trip.

We have discussed the views of the scholars concerning that in a previous question and there is no need to repeat it here. Please see the answer to question no. 60358.

II.

According to the view that the duration of that period is four days, the scholars differed concerning

when to start counting that time. The majority are of the view that the days of arrival and departure are not to be counted.

The Hanbalis are of the view that the days of arrival and departure are to be counted, and according to one report, that is the period of twenty-one prayers.

Al-`Abdari (al-Mawwaq – may Allah have mercy on him) said: If the one who is travelling by land or sea intended that he would stay for four days and nights, he should offer his prayers in full and fast until the day he moves on. Ibn al-Qasim said in *Al-`Atbiyah*: The day of arrival is not to be counted or included.

End quote from *At-Taj wal-Iklil li Mukhtasar al-Khalil*, 2/503.

Al-Qarafi said: Ibn al-Qasim was of the view that the counting of four days does not include the day of arrival, and his statement implies that the day of departure should not be counted either.

End quote from *Adh-Dhakhirah* by al-Qarafi, 2/361.

Ash-Shirazi (may Allah have mercy on him) said: If the traveller intends to stay for four days other than the days of arrival and departure, then he is to be regarded as not travelling during that time, and the concessions of travel do not apply to him, because if he stays for three days he is not regarded as being like a resident [rather he is regarded as a traveller], because the Muhajirin were forbidden to stay in Makkah, then the Prophet (blessings and peace of Allah be upon him) granted them a concession allowing them to stay for three days, so he said: “The Muhajir may stay for three days after completing his rituals…”

As for the day of arrival and departure, they are not counted because at those times he is regarded as a traveller, and the fact that he spends time there for part of the day does not mean that he is not regarded as a traveller, because there is no traveller who does not spend part of the day there, and because the hardships of travel do not end unless he stays for an entire day.

End quote from *Al-Muhadhdhab fi Fiqh al-Imam ash-Shafa`i*, 1/195.

An-Nawawi said: Ash-Shafa`i and our companions said: If he intends to stay there for four days, he is to be regarded as being like a resident, and concessions of travel cease to apply. This implies that intending to stay for less than four days does not mean that the concession granted to the traveller ceases to apply in his case, even if he ends up staying for more than three days. This was stated clearly by many of our companions.

Regarding how the four days are to be counted, two ways were narrated by al-Baghawi and others.

One way is counting the days of arrival and departure…, and this is the more correct way, which was definitively stated by the author – ash-Shirazi – but the majority say that they are not to be counted.

According to the first view, if a person arrives on Saturday at noon with the intention of leaving on Wednesday at noon, then the rulings on a resident apply to him. According to the second view, the rulings on a resident do not apply to him, even if he arrives on Saturday morning with the intention of leaving on Wednesday evening.

End quote from *Al-Majmu` Sharh al-Muhadhdhab*, 4/361.

Ibn Muflih al-Hanbali (mam him) said: The days of arrival and departure are to be counted as part of that period according to the stronger view.

End quote from *Al-Mubdi` fi Sharh al-Muqni`*, 2/122.

Based on the above, according to the view of the majority of scholars, it is permissible for you to avail yourselves of the concessions of travel for four days other than the days of arrival and departure, so in your case Monday and Friday do not count as part of that (period of four days).

According to the view of the Hanbalis – which is mentioned in both views narrated from Imam Ahmad – if your intention is to stay until Friday, that means that the concession granted to the traveller is not applicable to you, because Monday and Friday are to be counted as part of your stay, so you are staying for more than four days, or more than twenty-one prayers.

If you did shorten the prayers, then you must make up the prayers for those days, according to the view of the Hanbalis.

Ibn Qudamah (may Allah have mercy on him) said: If he stays in a town for the period of twenty-one prayers or less, that is fine, because he comes under the rulings on travel, but if he decides to stay for longer, he should make up the prayers of his entire stay (during which he shortened the prayers), because he no longer came under the rulings on travel.

End quote from *Al-Mughni*, 10/254.

What appears to be the case is that the matter is flexible, and you do not have to repeat those prayers, because no one has clear evidence regarding how to calculate the number of days or whether you should count the days of arrival and departure or not.

Shaykh Ibn `Uthaymin (may Allah have mercy on him) said: Regarding this issue, if the traveller intends to stay in a city, do the rulings on travel cease to apply to him, and do the rulings on residents become applicable to him?

There is a difference of opinion among the scholars regarding this matter, and there are more than twenty views, as is mentioned in *Al-Majmu` Sharh al-Muhadhdhab* by an-Nawawi. The reason why there are so many views is because there is no definitive religious text concerning this issue that could put an end to these differences. Therefore, the scholars differed greatly concerning this matter.

End quote from *Ta`liqat Ibn `Uthaymin `ala al-Kafi*, 2/139.

And Allah knows best.