287684 - What Does Stepping over People’s Necks Mean?

the question

If I reach the mosque before the Imam ascends the Minbar, is it permissible to step over or pass through people and go to the front row? Please note that there are wide gaps that allow me to pass through to the front of the mosque. Sometimes, when I go to the mosque approximately one hour early, I find a few people, no more than ten, but there are those who sit in the middle of the mosque. Is it permissible for me to pass them and go to the front of the mosque?

Summary of answer

What is meant by ‘stepping over the people’s necks’ is that the one who does that lifts his foot above the shoulders of those who are sitting in order to pass them. Prophet Muhammad forbade stepping over people’s necks during the Friday Khutbah because that causes annoyance to those who are sitting. An exception to the prohibition on stepping over people’s necks is made for the Imam if he has no way to reach the Minbar or Mihrab except by stepping over people’s necks.

Detailed answer

Praise be to Allah.

Ruling on stepping over people’s necks on Friday

The Prophet (blessings and peace of Allah be upon him) forbade stepping over people’s necks during the Jumu`ah Khutbah, because that causes annoyance to those who are sitting.

`Abdullah ibn Busr (may Allah be pleased with him) said: A man came, stepping over the people’s necks [to pass through the rows] on Friday, when the Prophet (blessings and peace of Allah be upon him) was giving the Khutbah. So the Prophet (blessings and peace of Allah be upon him) said: “Sit down; you are causing annoyance.” (Narrated by Abu Dawud (1118) and An-Nasa’i

(1399), and by Ibn Majah (1115), who added at the end: “and you are tardy.” It was classed as authentic by Al-Albani in Sahih Abu Dawud.

What is meant by the word translated here as “you are tardy” is that you were slow to come and arrived later than the proper time.

What does stepping over people's necks mean?

What is meant by the phrase translated here as “stepping over the people’s necks” is that the one who does that lifts his foot above the shoulders of those who are sitting [in order to pass them].

Ibn Hajar (may Allah have mercy on him) said: What this means is lifting the feet too much, over the heads or shoulders of the two persons between whom he wants to pass, and perhaps something that is on his feet may get onto their clothes." (Fath Al-Bari by Ibn Hajar 2/392)

It says in Nihayat Al-Muhtaj ila Sharh Al-Minhaj (2/338): “The words “people’s necks” are used to indicate that the one who does that lifts his feet higher than the shoulder of the one who is sitting.

Based on that, what happens when a person passes between the people to reach the front row does not come under the heading of “stepping on people’s necks”; rather it comes under the heading of pushing through the rows if there is no gap.”

As for passing through gaps and spaces that may be between those who are sitting, without stepping over their necks, that is not prohibited. Ibn Rajab (may Allah have mercy on him) said: “If there is a gap between those who are sitting, so that [the newcomer] will not be stepping over their necks, it is permissible for him to walk between them. However, if their knees are touching, in such a way that he cannot walk between them except by stepping over their knees, it is disliked for him to do that. If they are standing and praying, and he walks between them without pushing or annoying anyone, and without taking away space from anyone, that is permissible, otherwise it is not." (Fath Al-Bari by Ibn Rajab 8/206)

Thus it is clear that the action described in the question does not come under the heading of

stepping over people’s necks, and it is not forbidden, because if there is a gap between those who are sitting that gives enough room for someone to pass through, that does not come under the heading of stepping over people’s necks.

Rather stepping over people’s necks is when the distance between two people who are sitting is so small that no one can pass through it, so he has to raise his foot above the shoulders of those that are sitting in order to be able to pass between them.

When is stepping over the people’s necks permissible?

An exception to the prohibition on stepping over people’s necks is made for the Imam, if he has no way to reach the Minbar or Mihrab except by stepping over people’s necks.

Al-Mirdawi (may Allah have mercy on him) said: But if he is the Imam, he may step over people’s necks and it is not disliked, if he needs to do that. This is our view, and it was stated definitively by Al-Majd."(Al-Insaf, 6/288).

Some scholars also made an exception if those who are sitting have left a gap in front of them. In that case it is permissible for the latecomer to step over their necks in order to reach it, and some of them stipulated that in order for that to be permissible, it should happen before the Imam ascends the Minbar, so that those who are sitting will not be distracted from listening to the Khutbah.

See: Al-Mudawwanah (1/239); Asna Al-Matalib (1/268); Sharh Al-Muntaha (1/321).

However, the most prudent option, which is closest to acting in accordance with the apparent meaning of the Hadith, is not to step over people’s necks in this situation.

Shaykh Muhammad ibn `Uthaymin (may Allah have mercy on him) said in Ash-Sharh Al-Mumti` (5/96):

“… Or towards a gap, meaning an ample space in the front rows. If there is a gap there, then there is nothing wrong with stepping over people’s necks to reach it.

If someone were to say: The Hadith “Sit down; you are causing annoyance” is general in meaning, because what appears to be the case is that there is a gap, as usually a man does not step over people’s necks except to reach a gap.

[The response is:] But the jurists (may Allah have mercy on them) made an exception in this case, and they said: Because if there is a gap, then they are the ones who caused a problem for themselves, because they were instructed to complete the first row, then the next. So if there is a gap, it is because they have gone against that instruction, and in that case, the negligence is on their part, not on the part of the one who steps over their necks [to fill that gap].

However, what I think is that he should not step over their necks, even if it is to reach a gap, because the problem, which is causing annoyance to others, is applicable, and there may be some reason why they did not move forward to fill the gap, such as if the gap was not big in the first place, then as a result of people shifting it became wider. In that case, there was no negligence on their part, so the most appropriate thing is to follow the general meaning of the text, which is not stepping over people’s necks to reach the gap. Nonetheless, if someone does step over their necks in a gentle manner, asking permission of those whom he passes to reach this gap, then I hope that there will be nothing wrong with that.”

For more details, please see the following answers: 72960 , 119636 , 216139 , and 66279 .

And Allah knows best.