

The traveler, traveling and its conditions

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Question #2: “Why did you complete (your prayer)?” [The shaykh was led in prayer during his journey, then the imām shortened (the prayer) but the shaykh did not shorten, so he was asked about that] Shaykh al-Albānī answers:

“The matter)of being considered a traveler(, in my understanding, does not depend on crossing a fixed distance as much as it depends on two things, the foundation of which is the intention, and the other is leaving the city/country. So if there is the intention to travel, and he leaves the city/country, the rulings of traveling are applicable (to him); and after that, the distance that he crosses is not regarded, whether long or short. As for (if) the fundamental principle is not present, which is the intention, then this (person) who left (the city/country) is not a traveler even if he crossed a long distance or less or more, because traveling is one of the rulings that are linked with this hadīth, about which some of the scholars of Islām have said that it is a third of Islām: ‘Actions are only by (their) intentions and every person will have only that which he intended.’[1] And the truth is that this is a very sensitive issue about which the views of the scholars have differed and they did not agree on something completely clear such that it would be possible for someone to say: ‘This is the truth, it is quite obvious, so leave the side issues off of me.’ No one can say this, but all that he can say is: ‘I chose such and such.’

So I chose – what I understood from the treatise of Ibn Taimiyah (rahimahullaah) regarding this matter. He has a special treatise about the rulings of traveling. Indeed he struck

a very wonderful example, from which the researcher and student of knowledge understand that traveling has nothing to do with crossing a long distance over a short distance. As for (saying) that it has nothing to do with crossing a short distance, then I think this is not an area of debate, because it is established from the Messenger (of Allāh) (صلى الله عليه وسلم) that he used to leave from Madīnah to al-Baqī' (graveyard); then he would greet them (the dead) with the salām, then return. He used to go out to the martyrs, to Uhud; he would greet them with the salām, then return. He did not consider himself a traveler although he left the city. And the opposite of that as well – if he crossed a long distance, that does not mean that he became a traveler merely because of crossing this distance.

The example that (Ibn Taimiyah) struck is as the following. He was from Damascus like me, and there are well-known towns around Damascus, so he struck an example with a city known up to this time as Duma. He said, if a man seeking game^[2] left from Damascus to Duma (which is) 15 kilometers (away) – there is no doubt that (crossing) this distance is (considered) travelling according to our custom if the fundamental condition exists, which is the intention to travel – (Ibn Taimiyah) says that this man is not considered a traveler because he had left for hunting then for returning. But what happened was that he did not find the game that he was looking for, so he continued on the journey, and continued and continued, and kept going on until he reached where? – Aleppo; and there are approximately 400 kilometers between Aleppo and Damascus today by car. (Ibn Taimiyah) says this (man) is not a traveler – although he had crossed (many) distances of the traveler, not just one distance – because the first condition, which is the intention to travel, was not there in this person. Thus, we can

say that a car driver leaves early in the morning from 'Ammān for instance to reach Ma'ān (then) to al-'Aqabah,[3] returning by evening; this (person) is not a traveler because he, due to his work, does not intend to travel; rather he intends to carry out this work to make a living.

Therefore, regarding the subject of traveling, we must take into consideration the fundamental condition, which is the intention. And by us taking into consideration this intention, the ruling differs for two persons who cross one and the same distance, but one of them is a traveler and the other is not considered a traveler because of the difference in their intentions. And in this manner, there also occur rulings related to the ruling of residency, i.e. residency that is planned for a specific time. (For example), two men left a city, both as travelers; they landed in another city. The staying of one of them is that of a traveler (but) the other one is a resident. Why? Because (this second man) has another wife there, so he (goes) from one wife to another wife. Thus, because of there being a wife for him who causes him to be chaste, gives him a home and arranges his accommodations for him, he takes a ruling other than that of his companion because the situation differed in some ways.

Therefore, we learn of a very important conclusion, which is that the exact rulings of traveling differ from one person to another. So, we don't assign to a person the ruling of another (person), and also the opposite likewise.”

~ asaheeha translations ~

[1] Sahīh al-Bukhārī #1

[2] animals hunted for food

[3] these are all cities in Jordan

