

# Hajj suit raises host of questions

by [Daniel Burke](#)

April 1, 2011

WASHINGTON (RNS) In 2008, Safoorah Khan, a math teacher in Illinois, asked for 15 days of unpaid leave (19 days including weekends) to make a pilgrimage to Mecca, an obligation for all Muslims.

The local school board refused, but the Justice Department stepped in last December and sued on behalf of Khan, saying she was denied "reasonable accommodation" to perform a duty of her faith.

Since then, a number of questions have arisen about the hajj and whether the Justice Department should have backed the teacher.

"Correct me if I'm wrong, which I'm not," Rush Limbaugh said on his radio show last Friday (March 25). "Teachers have summers off. ... Muslims are urged to travel to Mecca at least once in their lives. Not during a specific time frame, like the end of the school marking period."

On Tuesday, at a Senate hearing on the civil rights of American Muslims, Sen. Lindsey Graham, R-S.C., accused the Justice Department of taking "the wrong case."

"Can she go on the hajj during the summer?" the senator asked Thomas Perez, assistant attorney general for civil rights, who testified at the hearing. "Is there a requirement that she go for the three weeks that she chose during the middle of the school year?"

According to Islamic scholars, making the hajj during summer vacation would have required Khan, 29, to postpone her trip for nearly a decade.

"If she waits, and she gets sick and dies, how will she be able to explain why she did not do it?" said Sayyid Syeed, who directs interfaith and community affairs for the Islamic Society of North America. "There is a compelling passion to go as soon as possible."

The hajj commemorates the trials of the biblical patriarch Abraham, who Muslims consider a prophet, and takes place over five days during the 12th month of the Islamic year.

The date of the annual pilgrimage shifts because Islam is guided by a lunar calendar; last year, 2.8 million Muslims from around the world traveled to Mecca, in Saudi Arabia, Nov. 14-18. About 20,000 Americans complete the hajj yearly, according to Syeed.

Muslims can travel to Mecca throughout the year, but these trips are not considered a fulfillment of the hajj obligation. Asking a Muslim to move the pilgrimage to summer is like asking a Christian to celebrate Christmas in July, said Syeed.

Along with believing in monotheism and Muhammad's prophecy, praying five times daily, giving alms, and fasting during the holy month of Ramadan, every Muslim is required to make the pilgrimage at least once.

According to the hadith, a collection of teachings by Prophet Muhammad and his companions, Muslims who do not make the hajj should not be considered Muslim.

Muhammad also said that those who have the health and "means" to undertake the journey but fail to do so "die on the branches of ignorance," said Shaykh Abdool Rahman Khan (no relation to Safoorah Khan), the resident scholar at the Islamic Foundation in Villa Park, Ill.

Before airplanes and boats, Muslims would set out by foot or camel on a trip that might take years and prove perilous. In many parts of the world, Muslims save for a lifetime before they have enough money to make the trip.

Their relative affluence puts pressure on young American Muslims to perform the hajj as soon as possible, even with lives crowded by family and work obligations.

"In American society, perhaps, people are confused about whether they should give up everything because (Islamic tradition) says so, or whether they can apply their own wisdom," Khan said.

Muhammad was referring to more than finances when he said all Muslims who have the "means" must perform the hajj as soon as possible, he said.

"You have to look at a variety of factors: Do you have enough security in what you are doing with your job and your family?" Khan said. "Practicing religion is not ignoring everything else. You have to balance it all."