104178 - He interrupted his ‘umrah and completed it several years later. What does he have to do with regard to the things that are forbidden whilst in ihram?

the question

A person entered ihram for ‘umrah for the first time when he was 16 years old, then he did tawaf and after that he took off ihram and did not complete his ‘umrah. Then he found out that he had to complete his ‘umrah. Several years after learning that, he put on ihram and completed his ‘umrah. His question is: what should he do now to expiate, and how much should he do, if there is any expiation?.

Detailed answer

Praise be to Allah.

Whoever enters ihram for ‘umrah has to complete it, because Allah says (interpretation of the meaning): “And perform properly (i.e. all the ceremonies according to the ways of Prophet Muhammad), the Hajj and ‘Umrah (i.e. the pilgrimage to Makkah) for Allah” [al-Baqarah 2:196]. The muhrim does not have the power to cancel his ‘umrah, unless he stipulated a condition to that effect and something happened to prevent him completing his ‘umrah or he is prevented from doing so by an enemy or sickness. This stipulation means saying when entering ihram: “O Allah, my exiting ihram will be where I am prevented.”

If a person enters ihram and does tawaf, then does not complete his ‘umrah, he remains in a state of ihram and cannot exit it unless he completes his ‘umrah.

If the person asked about went back after he found out that it is obligatory to complete ‘umrah – even if that was several years later – and he put on ihram and completed his ‘umrah, then he has exited ihram and he does not have to do anything (as expiation) with regard to the forbidden

things that he did before that out of ignorance or by mistake.

Shaykh Ibn ‘Uthaymeen (may Allah have mercy on him) was asked about a woman who entered ihram then cancelled her ‘umrah, then she did another ‘umrah a few days after that. Is this action correct? What is the ruling on the things she did that are forbidden in ihram?

He replied: This action is not correct, because once a person starts to do Hajj or ‘Umrah, it is haram for him to cancel it unless that is for a valid shar’i reason. Allah says (interpretation of the meaning): “And perform properly (i.e. all the ceremonies according to the ways of Prophet Muhammad), the Hajj and ‘Umrah (i.e. the pilgrimage to Makkah) for Allah. But if you are prevented (from completing them), sacrifice a Hady (animal, i.e. a sheep, a cow, or a camel) such as you can afford” [al-Baqarah 2:196]. This woman has to repent to Allah for what she has done, but her ‘umrah is valid, because even though she cancelled her ‘umrah, ‘umrah cannot be cancelled, and this is something that applies only to Hajj and ‘Umrah. If the person who is doing ‘umrah decides during the ‘umrah to cancel it, it is not cancelled, or if he decides to cancel Hajj whilst he is getting dressed for Hajj, it is not cancelled. Hence the scholars said that the rituals (of Hajj and ‘umrah) cannot be cancelled.

Based on this, we say: This woman is still in a state of ihram, from the time when she formed the intention until she completes ‘umrah, and her intention to cancel it has no effect, rather she is still in ihram.

To sum up: With regard to this woman we say: Her ‘umrah is valid, but she should not try to cancel ihram again, because if she cancels ihram, she cannot free herself from it. With regard to what she has done of forbidden things, let us assume that her husband had intercourse with her, and intercourse during ihram is one of the most serious of forbidden things, but she does not have to do anything, because she was ignorant (of the ruling), and everyone who does one of the things that are forbidden in ihram out of ignorance or by mistake or because they are forced to do so does not have to do anything (i.e. offer expiation). End quote from Majmoo’ Fatawa Ibn ‘Uthaymeen (21/351).

See also the answers to questions no. 36522 and 49026.

But you say in your question that he did not complete his ‘umrah until several years after he found out that it is obligatory to complete it, and this is negligence on his part, and a transgression of the sacred limits of Allah, for which he has to offer a fidyah (sacrifice) for what he did of forbidden things during that period. For each forbidden act that he did, he has to offer one fidyah, even if he did it several times.

So he has to offer one fidyah for wearing tailored clothing, and if he used perfume he has to offer another fidyah.

He has to offer a fidyah for shaving his hair, and for cutting his nails.

Similarly, if he was intimate with his wife and ejaculated, or masturbated, he has to offer a fidyah.

See the answer to question no. 11356 for information on the things that are forbidden when in ihram.

If he had intercourse with his wife during this period, he has to offer the fidyah for having intercourse, and his ‘umrah is invalidated as a result of that, and he has to make it up, but that does not mean that the fidyah for the forbidden things he did is waived.

The fidyah is:

Slaughtering a sheep and distributing its meat to the poor of the Haram, or fasting for three days, or feeding six poor persons, giving each one half a saa’ of wheat or rice and so on. Half a saa’ is equivalent to approximately one and a half kilograms.

And Allah knows best.