40512 - She entered ihraam for ‘umrah, then she decided not to do it. What does she have to do?

the question

I was in al-Taa’if then I decided to go to Makkah to spend some days there. On the day I was going there, I thought of entering ihraam for ‘umrah and in fact I did ghusl and said, “Labbaayk Allaahumma bi ‘umrah, Labbayk Allaahumma labbayk (here I am, O Allaah, for ‘umrah, Here I am, O Allaah, here I am).” Then before I left the house something occurred to me that made me delay the idea. Because I am a woman, ihraam did not change a lot of things for me (i.e., my dress was no different etc), so I forgot that I had spoken the Talbiyah out loud. I went to Makkah but I did not do ‘Umrah. I spent a few days there, then I went back to al-Taa’if for one day. From there I entered ihraam for ‘umrah and I went to Makkah and did ‘umrah (and I did not remember that I had said the Talbiyah the first time until I said the Talbiyah at the meeqaat the second time). What should I do about that?.

Detailed answer

Praise be to Allah.

Everyone who enters ihraam for ‘Umrah or Hajj must complete the rituals even if they are naafil pilgrimages, because Allaah says (interpretation of the meaning):

“And perform properly [or complete], the Hajj and ‘Umrah (i.e. the pilgrimage to Makkah) for Allaah”

[al-Baqarah 2:196]

Whoever intends to enter ihraam but then does not complete the rituals, with no legitimate shar’i excuse, has done something that is haraam.

The scholars of the Standing Committee said:

If he has put on the izaar and rida' (ihraam garments) but he did not form the intention of starting to do Hajj or 'Umrah and he did not recite the Talbiyah, then he has the choice: if he wants he may start Hajj or 'Umrah, and if he wants he can abandon the idea. And there is no sin on him if he has already done the Hajj and 'Umrah of Islam (i.e., the obligatory Hajj or 'umrah). But if he had formed the intention of starting Hajj or 'umrah, he does not have the right to cancel that and change his mind, rather he must complete that for which he entered ihraam in the manner prescribed in sharee'ah, because Allaah says (interpretation of the meaning):

"And perform properly [or complete], the Hajj and 'Umrah (i.e. the pilgrimage to Makkah) for Allaah"

[al-Baqarah 2:196]

Thus it should be clear to you that once the Muslim has started Hajj or 'umrah by forming the intention, he does not have the right to change his mind, rather he must complete what he has started, because of the verse quoted above – unless he has stipulated a condition and this obstacle that he feared comes to pass; in that case he may exit ihraam, because when Dubaa'ah bint al-Zubayr said to the Prophet (peace and blessings of Allaah be upon him): "O Messenger of Allaah, I want to do Hajj but I am ill," he said: "Do Hajj and stipulate the condition that you will exit ihraam at the point when you cannot go any further." Saheeh – agreed upon.

Fataawa al-Lajnah al-Daa'imah li'l-Buhooth al-'Ilmiyyah wa'l-Ifta', 11/166-167.

Based on this, the 'umrah that you did takes the place of the 'umrah for which you entered ihraam at first.

With regard to the things that are forbidden in ihraam that you did during those days, they are forgiven, because it seems that you did not know that it is forbidden to cancel the intention to do 'umrah after forming that intention.

In the answer to question no. 36522 we have stated that whoever does one of the things that are forbidden in ihraam out of ignorance or because he forgot, does not have to do anything (i.e., he

does not have to offer any fidyah).

Shaykh Ibn ‘Uthaymeen was asked about a woman who entered ihraam for ‘umrah then she canceled that ‘umrah, and did another ‘umrah a few days later. Is what she did correct? What is the ruling on what she did of the things that are forbidden during ihraam?

He replied: What she did is not correct, because if a person starts to do ‘umrah or Hajj, it is haraam for him to cancel it unless he has a valid shar’i reason. Allaah says (interpretation of the meaning):

“And perform properly [or complete], the Hajj and ‘Umrah (i.e. the pilgrimage to Makkah) for Allaah”

[al-Baqarah 2:196]

So this woman has to repent to Allaah for what she did, but her ‘umrah is valid because even though she cancelled it, it cannot be cancelled. This is one of the unique characteristics of Hajj. Hajj has unique characteristics that are not present in any other act of worship. If a person intends to cancel Hajj it does not become cancelled, but if a person intends to cancel any other act of worship it does become cancelled. If a person is fasting then he decides to cancel his fast, his fast is cancelled, and if a person decides to cancel his wudoo’ whilst doing it, his wudoo’ is cancelled. But if a person is doing ‘umrah and decides to cancel it, it does not become cancelled, and if he decides to cancel Hajj whilst putting on the Hajj garments, it does not become cancelled. Hence the scholars said that the rituals of Hajj and ‘umrah do not be cancelled even of a person decides to cancel them.

Based on this we say: this woman is still in a state of ihraam from the moment she formed the intention until she completes ‘umrah. Her intention to cancel it does not have any effect, rather she remains in that state.

To sum up: with regard to this woman we say that her ‘umrah is valid, but she should not cancel ihraam again, because if she cancels ihraam that does not count.

With regard to the things she did that are haraam when in ihraam, let us assume that her husband had intercourse with her at this time, and intercourse when in ihraam is the most serious of the forbidden things. But she does not have to offer any fidyah because she was unaware (of the ruling). Every person who does one of the things that are forbidden in ihraam out of ignorance or because he forgot or was forced to do it, does not have to do anything (i.e., offer any fidyah).

From Majmoo' Fataawa Ibn 'Uthaymeen, 21/351.

And Allaah knows best.