48955 - She entered ihraam for ‘umrah from Makkah. What should she do?

the question

I am a resident of Makkah and I wanted to do ‘umrah, but I did not go out to the meeqaat because my brother insisted that I did not have to do that. But I know that the meeqaats must be observed. What is the ruling? If I have to offer a sacrifice, and I want to send the meat outside the Kingdom, is that permissible?.

Detailed answer

Praise be to Allah.

Firstly:

Whoever is in Makkah and wants to do ‘umrah has to go outside the Haram (sanctuary) to enter ihraam for ‘umrah. It is not permissible for him to enter ihraam for ‘umrah from Makkah. If he does that, then according to the majority of scholars he has to offer a sacrifice, i.e., slaughter a sheep in Makkah and distribute its meat to the poor of the Haram.

Al-Bukhaari (1556) and Muslim (1211) narrated that ‘Aa’ishah (may Allaah be pleased with her), the wife of the Prophet (peace and blessings of Allaah be upon him), said: “We went out with the Prophet (peace and blessings of Allaah be upon him) for the Farewell Pilgrimage… and when we had finished Hajj the Prophet (peace and blessings of Allaah be upon him) sent me with ‘Abd al-Rahmaan ibn Abi Bakr to al-Tan’eem and I did ‘umrah.

Al-Bukhaari (1215) and Muslim (1211) narrated that ‘Aa’ishah (may Allaah be pleased with her) said: “O Messenger of Allaah, you have done ‘umrah but I did not.” He said: “O ‘Abd al-Rahmaan, take your sister to do ‘umrah from al-Tan’eem,” so he seated her behind him on a camel and she did ‘umrah.

According to a report narrated by al-Bukhaari and Muslim, the Prophet (peace and blessings of

Allaah be upon him) said: “Take your sister out of the Haram and let her enter ihraam for ‘umrah.”

Al-Nawawi said:

“Take your sister out of the Haram and let her enter ihraam for ‘umrah” is indicative of what the ‘ulama’ said, that whoever is in Makkah and wants to do ‘umrah, his meeqaat is the closest point that is outside the Haram, and it is not permissible to enter ihraam from inside the Haram.

The scholars said: Rather it is obligatory to go out to the area outside the Haram so that he will be outside the Haram and then enter the Haram, just as the pilgrim performing Hajj does both, because he stands in ‘Arafah, which is outside the Haram, then he enters Makkah to do tawaaf and saa’i, etc. This is the view of al-Shaafa’i. Similarly the majority of scholars said that it is obligatory to go out to the closest point that is outside the Haram to enter ihraam for ‘umrah, and that if a person enters ihraam for ‘umrah from the Haram and does not go out, he must offer a sacrifice. ‘Ata’ said: he does not have to do anything. Maalik said: there is no option other than going outside the Haram. Al-Qaadi ‘Iyaad said: Maalik said: He must enter ihraam from al-Tan’eem in particular. They said: This is the meeqaat for those who are doing ‘umrah from Makkah. But this is an odd view that is rejected. The view of the majority is that all areas outside the Haram are the same, and al-Tan’eem need not be singled out. And Allaah knows best.

But with regard to one who is in Makkah and wants to enter ihraam for Hajj, he may enter ihraam from where he is in Makkah, and he does not have to go outside the Haram.

The evidence for that is the hadeeth narrated by al-Bukhaari (1524) and Muslim (1181) from Ibn ‘Abbaas who said: The Prophet (peace and blessings of Allaah be upon him) defined the meeqaat of the people of Madeenah as Dhu’l-Hulayfah; that of the people of Shaam (Syria) as al-Jahfah; that of the people of Najd as Qarn al-Manaazil; and that of the people of Yemen as Yalamlam. And he said: “And these meeqaats are for the people at those very places, and besides them for those who come thorough those places with the intention of performing Hajj and 'Umrah; and whoever is living within these boundaries can enter Ihram from the place he starts, and the people of Makkah

can start from Makkah.”

Al-Haafiz said:

“ and the people of Makkah can start from Makkah” i.e., they do not need to go out to the meeqaat to enter ihraam from there, rather they may enter ihraam from Makkah. This applies only to the one who is doing Hajj. As for the one who is doing ‘umrah, he has to go out to the closest point that is outside the Haram. Al-Muhibb al-Tabari said: I do not know of anyone who described Makkah as a meeqaat for ‘umrah.

Shaykh Ibn ‘Uthaymeen (may Allaah have mercy on him) said in Manaasik al-Hajj wa’l-‘Umrah (p. 27), after mentioning the meeqaats: Whoever is closer to Makkah than these meeqaats, his meeqaat is the place where he is and he should enter ihraam from there, and the people of Makkah should enter ihraam from Makkah, except in the case of ‘umrah, when those who live in the Haram should enter ihraam from the closest point outside the Haram.

Then he quoted as evidence the hadeeth of ‘Aa’ishah mentioned above, about her doing ‘umrah with her brother ‘Abd al-Rahmaan.

Secondly:

It is obligatory to slaughter a sheep in Makkah and distribute its meat to the poor of the Haram; it is not permissible to distribute it outside Makkah. That is because Allaah says concerning the penalty for hunting in the Haram (interpretation of the meaning):

“O you who believe! Kill not the game while you are in a state of Ihraam [for Hajj or ‘Umrah (pilgrimage)], and whosoever of you kills it intentionally, the penalty is an offering, brought to the Ka‘bah, of an eatable animal (i.e. sheep, goat, cow) equivalent to the one he killed, as adjudged by two just men among you”

[al-Maa'idah 5:95]

“and afterwards they are brought for sacrifice unto the ancient House (the Haram — sacred

territory of Makkah)”

[al-Hajj 22:33]

The Standing Committee was asked about some people who entered ihraam for ‘umrah from Kada (a place in Makkah) and did not go out to al-Tan’eem.

They replied:

These people who entered ihraam for ‘umrah from Kada made a mistake, because Kada is not outside the Haram, rather it is part of the Haram and is not like al-Tan’eem or al-Ji’raanah, because both al-Tan’eem and al-Ji’raanah are outside the Haram. The Prophet (peace and blessings of Allaah be upon him) did ‘umrah from al-Ji’raanah and he did not do ‘umrah from al-Tan’eem, rather he told ‘Abd al-Rahmaan ibn Abi Bakr to go with his sister ‘Aa’ishah to enter ihraam for ‘umrah from al-Tan’eem, because it was the closest place outside the Haram. If it were permissible to enter ihraam for ‘umrah from inside the boundaries of the Haram, he would have given ‘Aa’ishah permission to enter ihraam from where she was in al-Abtah, and he would not have told her and her brother to go to al-Tan’eem to enter ihraam for ‘umrah from there, because that would cause unnecessary hardship when they were traveling. When the Prophet (peace and blessings of Allaah be upon him) was given the choice between two things, he would always chose the one that was easier so long as it was not a sin. Comparing Kada to al-Tan’eem and al-Ji’raanah is not correct, because entering ihraam from the meeqaats is part of the rituals. But their ‘umrahs are still valid. So each of them has to offer a sacrifice for entering ihraam for ‘umrah from inside the Haram.

Shaykh Ibn ‘Uthaymeen said in Fataawa Arkaan al-Islam (p. 515):

Whoever wants to do Hajj or ‘umrah has to enter ihraam from the meeqaat when he passes it, and he should not go any further without doing so. If he does that and passes the meeqaat, then he has to go back and enter ihraam from there. If he goes back and enters ihraam then there is no penalty, but if he enters ihraam from where he is and does not go back, then according to the scholars he has to offer a sacrifice and distribute its meat to the poor of Makkah.