69934 - Passing the Miqat without Ihram for Hajj or ‘Umrah

the question

I have been appointed to work as a doctor during the Hajj, and I cannot do ‘Umrah when I enter Makkah or wear the ihram garments. What should I do if I have two days left after my work has ended, in order to perform ‘Umrah before I leave for my city?

Summary of answer

If you want to do Hajj or ‘umrah and you pass by the miqat without intending to enter ihram from there, you have to go back to the miqat and enter ihram from that point.

Detailed answer

Praise be to Allah.

Intention for ‘Umrah while in Makkah

If you have not resolved firmly to do ‘umrah during this trip, you do not have to enter ihram from the miqat . But if you decide to do it when you are in Makkah, then you should go out of the Haram, to al-Tan’im or elsewhere, and enter ihram for ‘umrah.

But if you have decided to do ‘umrah during this trip then you must enter ihram from the miqat. Ibn 'Abbas (may Allah be pleased with him) said: The Messenger of Allah (peace and blessings of Allah be upon him) defined the miqaat of the people of Madinah as Dhu’l-Hulayfah; that of the people of Sham (Syria) as al-Juhfah; that of the people of Najd as Qarn al-Manazil; and that of the people of Yemen as Yalamlam. And he said: “And these meeqats are for the people at those very places, and besides them for those who come through those places with the intention of performing Hajj and 'Umrah; and whoever is living within these boundaries can enter ihram from the place he sets out, and the people of Makkah can start from Makkah.” (Narrated by al-Bukhari

(1454) and Muslim (1181)

Is entering ihram from the miqat necessary?

Whoever passes by one of these miqats, intending to do Hajj or ‘umrah has to enter ihram from that point. If he lives within the boundary of the miqats, then he should enter ihram from where he is.

If he is already in Makkah then he should enter ihram for Hajj from where he is and enter ihram for ‘umrah from any point outside the Haram (sanctuary), such as al-Tanim or ‘Arafah. When ‘Aishah (may Allah be pleased with her) wanted to do ‘umrah after her Hajj, the Prophet (peace and blessings of Allah be upon him) told her brother to take her out of the Haram so that she could enter ihram for ‘umrah from there. Agreed upon.

Passing the miqat without intending ihram for Hajj or ‘umrah

If the person who wants to do Hajj or ‘umrah passes by the miqat without intending to enter ihram from there, then he has to go back to the miqat that he passed, and enter ihram from that point.

If he does not do that and he enters ihram from the place where he is, then according to the majority of scholars he has to sacrifice a sheep in Makkah and distribute (the meat) to the poor of the sanctuary.

The scholars of the Standing Committee were asked about someone who travelled in order to work during the Hajj season, and they stayed outside Makkah and did not enter ihram from the miqat. From where should they enter ihram?

They replied:

“With regard to ihram for ‘umrah or Hajj , so long as you went there for work and passed by the miqat, if anyone wants to enter ihram he may do so from wherever he is within the miqat boundary, because he entered with the intention of working.

The Prophet (peace and blessings of Allah be upon him) said, when mentioning the miqats: “and whoever is living within these boundaries can enter ihram from the place he sets out, and the people of Makkah can start from Makkah.”

But if any of you had decided to do Hajj or ‘umrah when he passed the miqat, then he has to go back to the miqat and enter ihram from there. The Prophet (peace and blessings of Allah be upon him) said, when he defined the miqats: “And these miqats are for the people at those very places, and besides them for those who come through those places with the intention of performing Hajj and 'Umrah” (Fatawa al-Lajnah al-Daimah, 11/140-141)

Shaykh Muhammad ibn Salih al-‘Uthaymin (may Allah have mercy on him) said:

“If a person passes the miqat without entering ihram, one of two scenarios must apply.

Either he intends to do Hajj or ‘umrah, in which case he has to go back to the miqat and enter ihram from there for whichever ritual he wants to do, Hajj or ‘umrah; if he does not do that then he has omitted one of the obligatory duties of the pilgrimage and according to the scholars he must offer a ransom (fidyah), a sacrifice to be slaughtered in Makkah and the meat distributed to the poor there.

Or, if he passes it without intending to do Hajj or ‘umrah, then he does not have to do anything.” (Majmu’ Fatawa al-Shaykh Ibn ‘Uthaymin, 12/question no. 341)

And Allah knows best.