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Migats

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The fifth question of Fatwa no. 2191

Q 5: What is the opinion of Your Eminence if an employee was on a business trip from Tabuk to Makkah for some official work, and he had to enter Makkah without assuming Ihram (ritual state for Hajj and 'Umrah), and then he returned to Jeddah for a short period of time and assumed Ihram from Jeddah and returned all the way back to Makkah to perform 'Umrah? Does this count as 'Umrah?

A: Anyone who passes through one of the Miqats (sites for entering the ritual state for Hajj and 'Umrah for Hajj and 'Umrah) authentically reported from the Messenger of Allah (peace be upon him) or passes along a route in line with or parallel to the Miqat, whether by air, land, or sea, and he has the intention to perform Hajj or 'Umrah, is obliged to enter the state of Ihram. If he does not want to perform Hajj or 'Umrah, he does not have to enter Ihram. If he has stepped beyond the Miqat without the intention of making Hajj or 'Umrah, then he later intended to perform Hajj or 'Umrah while in Makkah or Jeddah, he may enter Ihram for Hajj from where he intended in Makkah or Jeddah, for example. As for 'Umrah, if he intends it outside Al-Haram (all areas within the Sacred Sanctuary of Makkah), he is entitled to enter Ihram from where he makes the intention, and if he intends it inside Al-Haram, he should leave and enter Ihram for 'Umrah from the closest Hil (all areas outside the Sacred Sanctuary of Makkah). This is the basic rule as far as the Miqat for Ihram is concerned. If the said person intended to perform 'Umrah while in Jeddah and not when passing by the Miqat, then his 'Umrah is valid and nothing is required of him.

The basic principle in this regard is the Hadith narrated on the authority of Ibn 'Abbas (may Allah be pleased with him) who said: (The Messenger of Allah (peace be upon him) defined the Miqat of the people of Al-Madinah as Dhul-Hulayfah; that of the people of the Levant (the region covering Syria, Lebanon, Jordan, and Palestine) as Al-Jahfah; that of the people of Najd as Qarn Al-Manazil; and that of the people of Yemen as Yalamlam. And he said, 'These Miqats are for the people of these very places and also for non-indigenous people who come through these places with the intention of performing Hajj and 'Umrah; and whoever is living within these boundaries can enter Ihram from his home place, and the same applies to the people of Makkah who may enter Ihram from Makkah.')

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(Agreed upon by Al-Bukhari and Muslim) It is also narrated on the authority of `Aishah (may Allah be

pleased with her) who said: (The Messenger of Allah (peace be upon him) stopped at Al-Muhassab. He called 'Abdul Rahman ibn Abu Bakr and said to him, 'Take your sister out of the Haram (the Sanctuary) and let her enter Ihram for 'Umrah, then let her circumambulate the Ka'bah. I will wait for you both here.' She said: So we went out and I entered Ihram, then I circumambulated the Ka'bah and did Sa'y between Safa and Al-Marawah. Then we came to the Messenger of Allah (peace be upon him) at his camp in the middle of the night. He (peace be upon him) said, 'Have you finished?' I said, 'Yes.' He gave his Sahabah (Companions of the Prophet) permission to move on, and he went out to the Ka'bah and circumambulated it before Fajr (Dawn) Prayer, then he left for Madinah.) (Agreed upon by Al-Bukhari and Muslim)

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Source: Fatwas of the Permanent Committee

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