106771 - Rulings on one who goes to Jeddah for work or to visit, then does ‘Umrah

the question

My father travelled from Jordan to Jeddah for a conference he had to attend there, and they were told that they were going to do ‘Umrah after spending one or two nights in Jeddah following the end of the conference. In the airplane it was announced that they had reached the meeqaat for those who wanted to enter ihraam, but he did not enter ihraam. But when he reached Jeddah they found that the program had been changed suddenly, and that on the night they arrived they had to do ‘Umrah, so he entered ihraam from Jeddah and did ‘Umrah, but he did not offer any expiation. Does he have to do anything?.

Detailed answer

Praise be to Allah.

If a person goes to Jeddah for work and does ‘Umrah, one of two scenarios must apply:

1 – That he formed the intention to do ‘Umrah before he reached Jeddah, so his intention in traveling there was both to do work and to do ‘Umrah, regardless of which came first.

2 – That he intended to go to Jeddah but he did not intend to do ‘Umrah, then he decided to do ‘Umrah.

In the first case, he must enter ihraam from the meeqaat, then finish his work in Jeddah, then do ‘Umrah, but it is better for him to start with ‘Umrah.

If he cannot start with ‘Umrah, and it is hard for him to spend the days in Jeddah in the ihraam garments, then he does not have to enter ihraam from the meeqaat when he first passes it, but when he wants to enter ihraam for Umrah after finishing his work in Jeddah, he must go out to the

meeqaat and enter ihraam from there. If he does not do that and he enters ihraam from Jeddah, then he has omitted one of the obligatory duties of ihraam and he must slaughter a sheep in Makkah and distribute its meat to the poor of the Haram.

In the second case, he does not have to enter ihraam from the meeqaat, because he did not originally intend to do ‘Umrah, and if he decides to do ‘Umrah after finishing his work in Jeddah, he may enter ihraam from his place in Jeddah.

The scholars of the Standing Committee for Issuing Fatwas were asked:

During the last spring holiday I took my wife and children to visit my sister in al-Taa’if, and to do ‘Umrah and get some medical treatment in Jeddah. This was my original intention. But what happened was that we stayed in al-Taa’if for a day, then we went to Jeddah passing through Makkah, but we did not enter ihraam from al-Sayl, because I thought that there was nothing wrong with that as we were delaying ‘Umrah until we were coming back from Jeddah. And in fact after we had finished in Jeddah we entered ihraam for ‘Umrah. I hope that you can tell us what is correct and what consequences there are for us?

They replied:

The one who intends to do ‘Umrah then passes by the meeqaat should enter ihraam from that point, and it is not permissible for him to pass it without entering ihraam. As you did not enter ihraam from the meeqaat, then each of you must offer a sacrifice, which is slaughtering a sheep that meets the conditions for udhiyah; it should be slaughtered in Makkah al-Mukarramah and its meat distributed to the poor there, and you should not eat any of it. End quote.

Shaykh ‘Abd al-‘Azeez ibn Baaz, Shaykh ‘Abd al-Razzaaq ‘Afeefi, Shaykh ‘Abd-Allaah ibn Ghadyaan.

Fataawa al-Lajnah al-Daa’imah (11/176, 177).

Shaykh Muhammad ibn Saalih al-‘Uthaymeen (may Allaah have mercy on him) was asked: If a person travels from his country to Jeddah then decides to do ‘Umrah, may he enter ihraam from

Jeddah?

He replied:

One of two scenarios must apply in this case:

1 – That this person has travelled to Jeddah without intending to do ‘Umrah, but he decides to do ‘Umrah whilst he is in Jeddah. In that case he may enter ihraam from Jeddah, and there is nothing wrong with that, because of the hadeeth of Ibn ‘Abbaas (may Allaah be pleased with him) when he mentioned the meeqaats: “…and whoever is living within these boundaries can enter ihraam from the place where he starts and the same applies to the people of Makkah who may enter ihraam from there.”

2 – That he travelled from his country with the firm intention of doing ‘Umrah. In this case he must enter ihraam from the meeqaat that he passes by, and it is not permissible to enter ihraam from Jeddah, because it is within the meeqaat boundary, and it is proven that the Prophet (peace and blessings of Allaah be upon him) defined the meeqaats and 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.”

If he enters ihraam from Jeddah and comes to Makkah in this case, then according to the scholars he must offer a fidyah, a sacrifice to be offered in Makkah, and given in charity to the poor, but his ‘Umrah is valid. If he did not enter ihraam from Jeddah after reaching it, and he was intending to do ‘Umrah before he reached it, and he goes back to the meeqaat and enters ihraam from there, then he does not have to do anything.

Fataawa Arkaan al-Islam (question no. 467).

Shaykh Saalih ibn Fawzaan al-Fawzaan (may Allaah preserve him) asked:

If a person comes by plane from Riyadh and wants to do ‘Umrah, but he passes through Jeddah to visit family or friends for a day or two, does he have to enter ihraam when he comes in line with the meeqaat in the air?

He replied:

He must enter ihraam from this meeqaat when he passes through it or passes in line with it on land or in the air, and he should not pass it without entering ihraam. The one who is travelling by air may prepare for ihraam before boarding the place, then when he comes in line with the meeqaat he may either ask the stewards or they will announce it to the people, or he may err on the side of caution and enter ihraam when he thinks it most likely that he is close to the meeqaat, and enter ihraam from the air. But if he waits until he lands at the airport in Jeddah, this is a mistake, and if he does that he has to offer a sacrifice. End quote.

And he (may Allaah preserve him) was asked:

Even if he is going to stay in Jeddah for one or two days to visit people?

He replied:

Yes, even if he is going to stay in Jeddah for one or two days, if he wants to stay in Jeddah before doing the rituals, he must stay in his ihraam, but if he goes to Makkah and does the rituals then comes back to Jeddah to do his work there, that is better, because hastening to do the rituals is better; i.e., so long as he intends to do ‘Umrah, it is not permissible for him to pass the meeqaat without entering ihraam. There is no doubt concerning this. Then after that he has the choice: he may stay in Jeddah in his ihraam or if he wishes he may go to Makkah and come back to Jeddah to do his work. End quote.

Al-Muntaqa min Fataawa al-Fawzaan (4/119, 120, question no. 118 and 119).

To sum up:

If your father intended to do ‘Umrah during his trip from Jordan to Jeddah – which is what appears to be the case – then he should have entered ihraam from the meeqaat or gone out from Jeddah to enter ihraam from the meeqaat. As he did not do either of these, then he has to slaughter a sheep in Makkah and distribute its meat to the poor. If he left Makkah and went back to Jordan, then he should look for someone to whom he can send the money and delegate him to offer the sacrifice in

Makkah.

And Allaah knows best.