

106595 - Reconciling the ahaadeeth which define where the people of Makkah should enter ihraam for 'Umrah

the question

In the hadeeth of 'Aa'ishah (may Allaah be pleased with her) it says that she went out to al-Tan'eem for 'Umrah, and in the hadeeth of Ibn 'Abbaas (may Allaah be pleased with him) it says: "Even the people of Makkah should enter ihraam from Makkah, those who want to do Hajj or 'Umrah". How can we reconcile them? From where should the people of Makkah enter ihraam for 'Umrah - from outside the Haram or from Makkah al-Mukarramah?.

Detailed answer

It is a good idea to quote some of the reports of the two hadeeths so that we may reconcile between them and explain what that implies about entering ihraam for 'Umrah alone for the people of Makkah and those living within the boundaries of the Haraam who come under the same rulings as them.

It was narrated that Ibn 'Abbaas (may Allaah be pleased with him) said: "The Messenger of Allaah (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." Narrated by al-Bukhaari and Muslim.

It was narrated that 'Aa'ishah (may Allaah be pleased with her) said: "The Messenger of Allaah (peace and blessings of Allaah be upon him) stopped at al-Mahassab. He called 'Abd al-Rahmaan ibn 'Abi Bakr and said to him, 'Take your sister out of the Haram (sanctuary) - according to another version: to al-Tan'eem - and let her enter ihraam for 'umrah, then let her circumambulate the House, and I will wait for you both here.'" She said: "So we went

out and I entered ihraam, then I circumambulated the House and did sa'ee between al-Safa and al-Marwah. Then we came to the Messenger of Allaah (peace and blessings of Allaah be upon him) at his camp in the middle of the night, and he said, 'Have you finished?' I said, 'Yes.' He gave his companions permission to move on, and he went out to the Ka'bah and circumambulated it before Fajr prayer, then he left for Madeenah." Narrated by al-Bukhaari and Muslim.

According to another report she said: On the night when the pilgrims leave Mina and go to al-Mahsab (laylat al-hasbah), I said: "O Messenger of Allaah, the people are going back having done Hajj and 'Umrah, and am I to go back having done only Hajj?" He told 'Abd al-Rahmaan to seat me behind him on his camel, then he (the narrator) mentioned her 'Umrah from al-Tan'eem.

According to another report from her: The Prophet (peace and blessings of Allaah be upon him) said to her on the day of departure: "The tawaaf you did is sufficient for Hajj 'Umrah" but she insisted, so he sent her with 'Abd al-Rahmaan to al-Tan'eem, and she did 'Umrah after Hajj. According to another report: "Your tawaaf around the Ka'bah and your saa'i between al-Safa and al-Marwah will suffice for both your 'Umrah and your Hajj." According to a report narrated by Muslim in his Saheeh: (The Prophet) (peace and blessings of Allaah be upon him) was an easy-going man, and if she wanted something he would go along with it. So he sent her with 'Abd al-Rahmaan ibn Abi Bakr and she entered ihraam for 'Umrah from al-Tan'eem.

Based on this it may be said that the hadeeth of Ibn 'Abbaas is general in application and means that the people of Makkah should enter ihraam from Makkah for either Hajj or 'Umrah performed on its own or for Hajj and 'Umrah together (qiraan); the hadeeth about 'Aa'ishah going out of the sanctuary (the Haram) with her brother 'Abd al-Rahmaan to enter ihraam was a specific command issued by the Prophet (peace and blessings of Allaah be upon him) to her alone. The well known principle according to the scholars is that if there seems to be a contradiction between a general ruling and a specific ruling, then the specific outweighs the general, which in this case is entering ihraam for 'Umrah from al-

Tan'eem, or some other place outside the Haram. So the phrase "and the people of Makkah from Makkah" means that the people of Makkah should enter ihraam for Hajj offered on its own or for Hajj and 'Umrah offered together (qiraan) from Makkah, and they do not have to go outside the Haram or to one of the other meeqaats mentioned in the hadeeth, in order to enter ihraam from there.

In the case of 'Umrah offered on its own, the one who wants to enter ihraam and is already in Makkah or within the boundaries of the Haram has to go outside the Haram - to al-Tan'eem or elsewhere - and enter ihraam from there. This was the view of the majority of scholars. Al-Muhibb al-Tabari said: I do not know of anyone who described Makkah as a meeqaat for 'Umrah.

So the phrase in the hadeeth of Ibn 'Abbaas (may Allaah be pleased with him) "the people of Makkah can start from Makkah" is interpreted as referring specifically to those who are performing Hajj combined with 'Umrah (qiraan) or Hajj on its own, not those who are performing 'Umrah on its own.

This is supported by the fact that the Prophet (peace and blessings of Allaah be upon him) was never given the choice between two things but he always chose the easier option, so long as it was not a sin. If entering ihraam for 'Umrah from inside the Haram was permissible then he would have chosen that option for 'Aa'ishah, because it would have been easier and less burdensome for him and for 'Aa'ishah and her brother, and he would not have told her to go outside the Haram or to al-Tan'eem and enter ihraam from there. Rather it would have been sufficient for her to go with him (peace and blessings of Allaah be upon him) when he went to the Ka'bah to do the farewell tawaaf, because she had already entered ihraam for 'Umrah from al-Abtah, and she could have done tawaaf and saa'i of 'umrah at the same time as he (peace and blessings of Allaah be upon him) did the farewell tawaaf. That would have been sufficient to fulfil 'Aa'ishah's wishes and put her mind at rest, because she wanted to do 'Umrah on its own without going out of the Haram or to some specific place outside the Haram. But the Prophet (peace and blessings of Allaah be upon him) told her to go out to al-Tan'eem, and she needed a mahram so he sent her

brother 'Abd al-Rahmaan with her. That happened at night when the people need to rest, so the Prophet (peace and blessings of Allaah be upon him) designated a place to meet up after they had finished. The fact that he did not choose the option of entering ihraam from inside the Haram, which would have been easier for everyone concerned, and he chose the option of entering ihraam from outside the Haram, which is more difficult, indicates that one should enter ihraam for 'Umrah from outside the Haram, and that this is a shar'i requirement for the one who wants to perform 'Umrah on its own and is already in the Haram.

Some scholars think that in the case of 'Umrah, even though it is Sunnah or obligatory for every Muslim who is accountable and is able for it, if a person wants to do 'Umrah and he is in the Haram, he should do it along with Hajj, so he should enter ihraam for Qiraan to do 'Umrah and Hajj together, and he should not go out of the boundaries of the Haram, whether to al-Tan'eem or elsewhere, to enter ihraam for 'Umrah on its own, because the Prophet (peace and blessings of Allaah be upon him) only gave permission for that to 'Aa'ishah, so as to make her happy, and the Sahaabah did not go out of the Haram in order to enter ihraam for 'Umrah from outside its boundaries.

Some think that one may enter ihraam for 'Umrah on its own from Makkah and elsewhere in the Haram because of the general meaning of the hadeeth of Ibn 'Abbaas.

And Allaah is the Source of strength. May Allaah send blessings and peace upon our Prophet Muhammad and his family and companions. End quote.

Standing Committee for Academic Research and Issuing Fatwas.

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