

Q: 76 – Title: I passed Meeqat without ihraam, is a damm wajib? What is the ruling for women having a cloth touch the face while in ihraam?

#### Question

Having completed hajj I made my way to Medinah and after that I asked my ticket to be extended. As a result I traveled from Medina to Jeddah with my tour group.

They issued me my passport and I then had my father-in-law pick me up from Jeddah and we made our way back to Makkah.

My question is my understanding was that I had to make intention of my ihram from Jeddah, but having spoken to my father in law, he advised that I should have done so from medina, but the issue would have been that all the other passengers would be in normal clothes and I would have been in ihram which could have caused problems for me as there are normally checks and questions would have been asked.

Anyways I did not wear the ihram at Jeddah as my father in law advised not to do so, so I would like to know what I need to do like nafl umrah from say masjid Ayesha and/or Dam? As my intention was to always travel to Makkah.

My other question is my wife lives in makkah and mostly every year she performs hajj but wears her nikab over her face during hajj/ihram, as she does not want to fulfill 1 fard and leave another as she is very strict in wearing the niqab alhumdulillah. She is not comfortable wearing the English type cap under her niqab as she finds it hard to see properly. My question is does dam become compulsory on her or is giving sadqah sufficient enough? I believe my father in law previously has given sadqah on her behalf but this year she has now become my responsibility and I wish to ask the learned scholars for their guidance.

#### Answer

In the Name of Allah, the Most Gracious, the Most Merciful.

As-salamu 'alaykum wa-rahmatullahi wa-barakatuh.

1.) The meeqat for those coming from the direction of Madinah is Dhul-Hulayfah (also known as Bi'r Ali or Abyaar Ali). There is another meeqat called Juhfah, closer to Makkah. You could have entered ihraam there as well, although the meeqat of Dhul-Hulayfah is preferred for those coming from the direction of Madinah.

Since your intention was to travel to Makkah for Umrah, and you bypassed the meeqat without entering into ihraam, a damm is now obligatory. Had you traveled back to any point of meeqat and made ihraam from there before starting the rites of Umrah, the damm would have been erased. [i] [ii] [iii] [iv]

\*Damm: Refers to the slaughtering of a goat, a sheep, a one-seventh part of a cow, or a one-seventh part of a camel within the precincts of the Haram in lieu of certain violations made while performing the manaasik (rites) of Hajj and Umrah.

2.) To have a piece of cloth touching the face while in ihraam is not correct if it is done intentionally. Pious women from the Sahaabiyyaat (radiyallahu anhunna) to our times have been concealing their faces while not letting the cloth touch the face. Your wife should find an alternative solution that would allow her to maintain her niqab in ihraam without having a piece of cloth touch her face.

If the face is covered for a period of less than 12 hours at a time then sadaqah is wajib. If the face is covered for a period of 12 hours or more at a time, then a damm will be obligatory. The penalty will apply only once since she intends to keep re-wearing the niqab for the same reason (i.e that of not being able to see with the cap extension). Multiple sadaqahs or damms will not apply if your wife removes the niqab and wears it again while in ihraam. [v] [vi] [vii]

\*The amount of sadaqah is half a Saa' (1.75kg to 2.32 kg / 3.86 lb to 5.11 lb) of wheat (or its monetary equivalent which is equal to the amount given for Sadaqat-ul-Fitr)

And Allah knows best.

MI. Sohail Bengali  
Chicago, IL (USA)

Concurred by:

Mufti Abrar Mirza

Chicago, IL (USA)

Under the Supervision of Mufti Ebrahim Desai (South Africa)

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