36833 - Should he go back to a state of ihraam if he did not do tawaaf al-ifaadah on the day of Eid?

the question

I heard that if a person does not do tawaaf al-ifaadah on the day of Eid, he should go back to a state of ihraam until he does tawaaf. Is this correct?.

Detailed answer

Praise be to Allah.

A hadeeth concerning this was narrated from Umm Salamah (may Allaah be pleased with her). Shaykh Ibn ‘Uthaymeen (may Allaah have mercy on him) was asked about this matter and he replied:

You asked about the hadeeth of Umm Salamah (may Allaah be pleased with her) which says that if a person did not do tawaaf al-ifaadah before the sun sets on the day of ‘Eid, he must go back to a state of ihraam.

It should be noted that this is a weak hadeeth which cannot be quoted as evidence as it is not proven from the Prophet (peace and blessings of Allaah be upon him), for a number of reasons:

1 – With regard to its isnaad, Imam Ahmad, Abu Dawood and Ibn Khuzaymah all narrated it from Muhammad ibn Ishaaq, the well known author of Seerah. He said: Abu ‘Ubaydah ibn ‘Abd-Allaah ibn Zam’ah narrated to us, from his father and from his mother, from Umm Salamah (may Allaah be pleased with her). According to this report the Prophet (peace and blessings of Allaah be upon him) said: “If evening comes before you have circumambulated this House, then you should go back to a state of ihraam as you were before you stoned the Jamrah, until you circumambulate it.”

With regard to Ibn Ishaaq, in his mufrad reports (those which were narrated by him only) there is some oddness. Imam Ahmad was asked whether a hadeeth which was narrated only by Ibn Ishaaq

could be accepted and he said: No, by Allaah.

Muhammad ibn Yahya said: His hadeeth is hasan but he narrates some ghareeb (odd) reports. Al-Daaraqutni said: The imams differed concerning him; his reports cannot be taken as proof but they may be taken into consideration. End quote. Tahdheeb 9/39-46

Perhaps this hadeeth is one of his mufrad and odd hadeeths.

With regard to Abu ‘Ubaydah ibn ‘Abd-Allaah ibn Zam’ah, it says of him in al-Taqreeb (2/448): He is accepted at the third-rate level.

It says of him in al-Muhalla (7/142): He is not known for narrating hadeeth, or for memorizing. If the hadeeth of Umm Salamah were saheeh we would be quick to say so. End quote.

Al-Tahhaawi narrated in Sharh Ma’aani al-Athaar (2/228) a hadeeth similar to that of Umm Salamah, but it is narrated via ‘Abd-Allaah ibn Luhay’ah. It says concerning it in al-Taqreeb (1/144): He is truthful at the seventh-rate level but he became confused after his books were burned and the reports of Ibn al-Mubaarak and Ibn Wahb from him are more sound than others. End quote.

I say: he was classed as da’eef by some of the huffaaz in absolute terms, and by others with regard to what is narrated from him apart from that which is narrated by those whose names started with “ ‘Abd”.

If this the case with regard to the isnaad of the hadeeth, and they did not narrate it except from those in whose narration there is some problem, and the senior imams, such as al-Bukhaari and Muslim, rejected him, even though this hadeeth speaks about an issue in which there is a strong motive to narrate it, this indicates that it has no basis.

2 – With regard to its text, its text is odd, because the hadeeth in al-Saheehayn and elsewhere clearly indicate that the first stage of exiting ihraam takes place before circumambulating the House, without stipulating that it should take place before sunset, such as the words of ‘Aa’ishah (may Allaah be pleased with her): “I used to put perfume on the Prophet (peace and blessings of

Allaah be upon him) when he exited ihraam, before he circumambulated the House." It cannot be subject to conditions such as those mentioned in this odd hadeeth. Hence al-Tahhaawi said in Sharh Ma'aani al-Athaar (2/229), when he quoted the hadeeth of 'Aa'ishah (may Allaah be pleased with him): This is contrary to the hadeeth of Ibn Luhay'ah which we mentioned at the beginning of the chapter. The hadeeth of Ibn Luhay'ah is stronger, because it is mutawaatir. End quote.

3 – With regard to acting upon it, no one among the ummah, imams or common folk, acted upon it except for a small number after the time of the Sahaabah, if the reports narrated concerning that can be accepted. Al-Tabari said in his book al-Qira li Qaasidi Umm al-Qura (p. 472), when he quoted the hadeeth: I do not know of anyone who held their view. End quote.

In Sharh al-Muhadhdhab (8/165) al-Nawawi narrated that al-Bayqahi said: I do not know of anyone among the fuqaha' who held this view. I (al-Nawawi) say it is abrogated and consensus indicates that it is abrogated, for consensus neither abrogates nor is abrogated, rather it is indicative of some abrogator. End quote.

Al-Nawawi agreed with al-Bayhaqi that no one has any knowledge of any contrary view, rather consensus may be taken as evidence that this hadeeth is abrogated, i.e., because the ummah did not act upon it. But the claim of al-Nawawi is subject to further discussion because the claim that something is abrogated requires proof for the abrogated thing, and the hadeeth is not proven in the first place so we cannot say that it is abrogated.

Some people narrated that 'Urwah ibn al-Zubayr, one of the seven fuqaha', was of this view, and perhaps it may be understood from the report narrated from him by al-Tabari in al-Qira (p. 470), that perfume is not permissible for the one who has not circumambulated the Ka'bah after 'Arafah even if he has cut his hair. Narrated by Sa'eed ibn Mansoor.

I say that it is very unlikely for 'Urwah ibn al-Zubayr to have said the same as is suggested by the hadeeth of Umm Salamah, and for that to have been unknown to the likes of al-Tabari and al-Bayhaqi.

What is meant by 'Urwah's view is that it is not permissible for a person to put on perfume until he

has circumambulated the House. This is a well known view, and the dispute concerning that is well known. The difference between that and what is implied by the hadeeth of Umm Salamah is quite clear: the hadeeth of Umm Salamah indicates that a person may exit ihraam before doing tawaaf, but that if a person delays tawaaf until after sunset on the day of Eid, then he must go back to a state of ihraam.

With regard what al-Tabari narrated from ‘Urwah, this indicates that perfume is only permissible after tawaaf, and there is a clear difference between the two views.

4 – What it implies is contrary to what is implied by the basic principles of sharee’ah.

What it implies is that when a person has completed an act of worship, he can only go back to it with a new intention. This is what makes the hadeeth appear weaker. If it were saheeh then it would be obligatory to follow it, and there is an exception to every rule.

This is what Allaah has enabled us to write quickly.

I ask Allaah to help us all to follow the right path, and to act in accordance with the Sunnah and the Qur’aan, for He is Able to do that.

End quote from a letter written in the Shaykh’s own handwriting.