

## 34695 - Is tahaarah a prerequisite for tawaaf and saa'i?

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### the question

During tawaaf when doing 'Umrah I broke my wudoo', and I did not know what to do, so I went out and did wudoo', then I repeated tawaaf and did saa'i between al-Safa and al-Marwah. Is what I did correct? What should I have done?.

### Detailed answer

Praise be to Allaah.

You did well by renewing your wudoo' and repeating your tawaaf. You did that which is better and more on the safe side. The majority of scholars are of the view that tahaarah (being pure, i.e., having wudoo') is an essential condition of tawaaf, like prayer, being valid. Just as prayer is not valid unless one has done wudoo', so too tawaaf is not valid without wudoo'.

Ibn Qudaamah said:

Tahaarah (being pure, having wudoo') is a condition of tawaaf being valid. This is the well-known view of Ahmad, and it is the view of Malik and al-Shaafa'i.

The majority of scholars quote several pieces of evidence to support this view, such as the following:

1 - The Prophet SAWS (peace and blessings of Allaah be upon him) said: "Tawaaf around the House is (a kind of) prayer, except that you may speak during it." Narrated by al-Tirmidhi, 960; classed as saheeh by al-Albaani in Irwa' al-Ghaleel, 121.

2 - It is proven in al-Saheehayn that 'Aa'ishah (may Allaah be pleased with her) said: "When he [the Prophet] (peace and blessings of Allaah be upon him) wanted to do tawaaf, he did wudoo'."

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And he (peace and blessings of Allaah be upon him) said: “Learn from me your rituals (of Hajj and ‘Umrah).” Narrated by Muslim, 1297.

Fataawa al-Shaykh Ibn Baaz, 17/213-214.

3 - It was proven in al-Saheehayn that the Prophet (peace and blessings of Allaah be upon him) said to ‘Aa’ishah when her menses came: “Do what the pilgrims do, but do not circumambulate the House until you are pure [i.e., until your period ends].”

Shaykh Ibn Baaz (may Allaah have mercy on him) was asked: I have a female relative who did ‘Umrah during Ramadaan and when she entered the Haram she broke her wudoo’ by passing wind, but she felt too embarrassed to tell her family that she wanted to do wudoo’. Then she did tawaaf and when she finished tawaaf she went off by herself and did wudoo’, then she did saa’i. Does she have to offer a sacrifice or any expiation (kafaarah)?

He replied:

Her tawaaf is not valid, because one of the conditions of tawaaf being valid is tahaarah (purity), as in the case of prayer. So she should go back to Makkah and circumambulate the House. It is also mustahabb (recommended) for her to repeat saa’i, because most of the scholars are of the view that it is not permissible to do saa’i before tawaaf. Then she should cut some hair from all parts of her head and exit ihraam. If she has a husband who had intercourse with her, then he has to slaughter a sheep in Makkah to be distributed to the poor, and she has to do another ‘Umrah from the meeqaat from which she entered ihraam for the first ‘umrah, because the first ‘umrah was invalidated by that intercourse. She should do what we have mentioned, then do another ‘Umrah from the meeqaat from which she entered ihraam for the first ‘umrah, whether she does that now or at another time, depending on her ability. And Allaah is the source of strength.

Fataawa al-Shaykh Ibn Baaz, 17/214-215

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He was also asked:

A man started to do tawaaf, then he passed wind. Does he have to stop his tawaaf or should he continue?

He replied: If a person passes wind or urine or semen, or he touches his private part, etc. during tawaaf, then he should stop his tawaaf, as (he is required to do if any of these things happen) in the case of prayer. He should go and purify himself, then start tawaaf again. This is the correct view; there is a difference of scholarly opinion concerning this matter, but this is the correct view concerning both prayer and tawaaf, because the Prophet (peace and blessings of Allaah be upon him) said: "If one of you breaks wind silently during prayer, let him go and do wudoo' then repeat the prayer." Narrated by Abu Dawood and classed as saheeh by Ibn Khuzaymah. Tawaaf comes under the same heading as prayer in general...

Majmoo' Fataawa al-Shaykh Ibn Baaz, 17/216-217

Some of the scholars are of the view that purity from hadath (minor impurity) is not essential for tawaaf. This is the view of Abu Haneefah (may Allaah have mercy on him) and was the view favoured by Shaykh al-Islam Ibn Taymiyah. They responded to the evidence quoted in support of the first view in the following manner:

With regard to the hadeeth: "Tawaaf around the House is (a kind of) prayer", they said that this is not a saheeh report from the Prophet (peace and blessings of Allaah be upon him), rather these are the words of Ibn 'Abbaas (may Allaah be pleased with him). Al-Nawawi said in al-Majmoo': The correct view is that this is a mawqoof report which stops at Ibn 'Abbaas. This was mentioned by al-Bayhaqi and other scholars of hadeeth.

With regard to the actions of the Prophet (peace and blessings of Allaah be upon him) and his doing tawaaf in a state of tahaarah (purity), they said: This does not indicate that it is obligatory,

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rather it only indicates that it is mustahabb (recommended), because the Prophet (peace and blessings of Allaah be upon him) did that, but it is not reported that he commanded his companions to do that.

With regard to the Prophet (peace and blessings of Allaah be upon him) saying to 'Aa'ishah: "Do what the pilgrims do, but do not circumambulate the House until you are pure [i.e., until your period ends]," the Prophet (peace and blessings of Allaah be upon him) told her not to do tawaaf because she was menstruating, and the menstruating women is forbidden to enter the mosque.

Shaykh al-Islam Ibn Taymiyah said:

Those who say that it is obligatory to have wudoo' in order to do tawaaf have no proof at all, because no one narrated, with either a saheeh isnaad or a da'eef one, that the Prophet (peace and blessings of Allaah be upon him) enjoined having wudoo' in order to do tawaaf. It should be noted that very many people did Hajj with him, and he did 'Umrah numerous times and the people did 'Umrah with him. If wudoo' were obligatory for tawaaf, the Prophet (peace and blessings of Allaah be upon him) would have pointed that out to everyone, and if he had stated that, then the Muslims would have transmitted it from him and would not have been negligent concerning that. But it is proven in al-Saheeh that when he did tawaaf he did wudoo'. This on its own does not indicate that it is obligatory, for he used to do wudoo' for each prayer and he said: "I do not like to remember Allaah except in a state of purity."

Majmoo' al-Fataawa, 21/273.

Even though this view -that tahaarah is not an essential condition for tawaaf - has some strength and the evidence may be interpreted in this manner, people should not start tawaaf without being in a state of purity, because it is undoubtedly better to do tawaaf in a state of purity; that is more on the safe side and by doing that one will avoid going against the view of the majority of scholars.

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But a person may do that if it is too difficult to keep or repeat one's wudoo', such as during the days of Hajj, or if a person is sick or elderly and it is hard to keep his wudoo' as well as deal with the crowds and so on.

Shaykh Ibn 'Uthaymeen (may Allaah have mercy on him) said, after responding to the evidence quoted by the majority:

Based on this, the more correct view which gives peace of mind is that it is not essential to be pure from minor impurity (i.e., have wudoo') in order to do tawaaf, but it is undoubtedly better and is following the example of the Prophet (peace and blessings of Allaah be upon him), and no one should neglect purity and go against the majority of scholars in this matter. But sometimes one is compelled to follow the view of Shaykh al-Islam Ibn Taymiyah, such as if a person breaks his wudoo' when there is too much crowding, in which case the view that he has to go and do wudoo' and come back in this severe crowding, especially when he only has a few circuits left, will cause too much hardship. With regard to matters which cause too much hardship and regarding which there is no clear text, we should not force people to adhere to them, rather we should follow that which is more lenient, because forcing people do things that are too hard with no clear proof contradicts what Allaah says (interpretation of the meaning):

“Allaah intends for you ease, and He does not want to make things difficult for you”

[al-Baqarah 2:185]

al-Sharh al-Mumti', 7/300

With regard to saa'i, it is not essential to have wudoo' for saa'i. This is the view of the four Imams, Abu Haneefah, Malik, al-Shaafa'i and Ahmad. Indeed it is permissible for menstruating women to perform saa'i between al-Safa and al-Marwah, because the Prophet (peace and blessings of Allaah be upon him) only told menstruating women not to do tawaaf, as he said to 'Aa'ishah (may Allaah

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be pleased with her), when her menses came: “Do what the pilgrims do, but do not circumambulate the House.”

See al-Mughni, 5/246

Shaykh Ibn ‘Uthaymeen said:

If a person does saa’i when he does not have wudoo’, or when he is junub [in a state of impurity following sexual activity], or if a woman does saa’i when she is menstruating, then this is valid, but it is better to do saa’i in a state of tahaarah.

Al-Sharh al-Mumti’, 7/310, 311

And Allaah knows best.