

47289 - She entered ihraam and did tawaaf and saa'i when she was menstruating

the question

A woman did Hajj a few years ago. She entered ihraam from the meeqaat and did tawaaf and saa'i whilst she was menstruating (I do not know whether she did that out of ignorance). I hope that you can advise us whatever the case. Then she did 'umrah after that several times. What is the ruling?.

Detailed answer

Praise be to Allah.

It is not essential to be free of menses in order to enter ihraam and do saa'i, but the menstruating woman is not allowed to do tawaaf around the House until she is pure.

Based on this, a woman who wants to do Hajj or 'umrah should enter ihraam from the meeqaat even if she is menstruating, and she should form the intention of entering ihraam. The evidence for that is the fact that Asma' bint 'Umays, the wife of Abu Bakr (may Allaah be pleased with him) gave birth, when the Prophet (peace and blessings of Allaah be upon him) was camped at Dhu'l-Hulayfah (which is the meeqaat for the people of Madeenah), on his way to do Hajj. She sent word to the Prophet (peace and blessings of Allaah be upon him) asking him what she should do. He said: "Do ghusl and tie a piece of cloth around yourself and enter ihraam." What is meant by tying a piece of cloth is placing a piece of cloth over the vagina and tying it in place, then entering ihraam whether for Hajj or 'Umrah. The blood of menstruation is like the blood of nifaas, so when the menstruating woman reaches the meeqaat, she should do ghusl and tie a piece of cloth around herself, and enter ihraam, in accordance with this hadeeth.

Islam Question & Answer

General Supervisor:

Shaykh Muhammad Saalih al-Munajjid

Similarly saa'i between al-Safa and al-Marwah done by a menstruating woman is valid, but her tawaaf is not valid. The evidence for that is that the Prophet (peace and blessings of Allaah be upon him) said to 'Aa'ishah (may Allaah be pleased with her), when she menstruated during 'umrah: "Do everything that the pilgrims do, but do not circumambulate the House until you become pure." Narrated by al-Bukhaari (1650), Muslim (1211).

Based on this, then this woman did not go through the second stage of exiting ihraam for Hajj, so she has to repeat the tawaaf, and her husband should not have intercourse with her, if she is married, until she has done tawaaf.

This is the ruling on this issue, whether she did that knowingly or unknowingly. But if she did that knowingly then she sinned by doing this haraam action with no excuse. But if she was unaware, then there is no sin on her. But she has to do this tawaaf and she has not gone through the second stage of exiting ihraam until she does it, as stated above. The fact that she did 'umrah several times after that does not relieve her of the obligation to do this tawaaf.

The Standing Committee was asked about the Hajj of a menstruating woman. They said: A menstruating woman is not prevented from doing Hajj. The one who enters ihraam when she is menstruating may do all the actions of Hajj, but she should not circumambulate the House until her period ends and she does ghusl. The same applies to a woman who is bleeding following childbirth (nifaas). If she does all the essential parts of Hajj then her Hajj is valid."

Fataawa al-Lajnah al-Daa'imah, 11/172.

Shaykh Muhammad ibn Saalih ibn 'Uthaymeen (may Allaah have mercy on him) was asked about a woman who entered the Haram and did tawaaf and prayed when she was menstruating. He said: It is not permissible for a woman who is menstruating or bleeding following childbirth to pray, whether in Makkah or in her own country or anywhere else, because the Prophet (peace and blessings of Allaah be upon him) said: "Is it not the case that when she is menstruating she does

Islam Question & Answer

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not pray or fast?” Moreover the Muslims are unanimously agreed that it is not permissible for a menstruating woman to fast or to pray. This woman who did that has to repent to Allaah and seek forgiveness for what she did. As for her tawaaf when she was menstruating, it is not valid, but her saa’i is valid, because the correct view is that it is permissible to do saa’i before tawaaf during Hajj. Based on this, she has to repeat the tawaaf, because tawaaf al-ifaadah is one of the essential parts of Hajj, and the second stage of exiting ihraam cannot be completed without it. Based on that, her husband should not have intercourse with her, if she is married, until she does tawaaf. If she is not married then she cannot get married until she has done this tawaaf.

Majmoo’at Fataawa al-Shaykh Muhammad Saalih ibn ‘Uthaymeen, 22/382.