

Is Qiyām (Standing) and Rukū' (Bowing) mandatory upon one unable to make Sajdah (Prostration)?



Question:

A person who is unable to perform actual Sajdah – is the obligation of Qiyām and Rukū' waived for him? Is it permissible for him to perform Ṣalāh sitting on the ground or on a chair? Moreover, is performing the entire Ṣalāh sitting best (with gestures for Rukū' and Sajdah)? Is performing Ṣalāh standing in all cases not preferred? Is performing the entire Ṣalāh sitting necessary and obligatory? Those performing Ṣalāh standing are rarely to be seen, and something rare is as good as non-existent. The answer should be backed by proofs and references.

Answer:

Allah inspires the correct position and to Him is the return.

The A'immah Mujtahidīn have a difference of opinion in this regard. Apparently, according to Imām Abū Ḥanīfah, Imām Abū Yūsuf, and Imām Muḥammad Raḥimahumullāhu Ta'ālā the obligation of Qiyām and Rukū' falls away. According to them, it is permissible to perform the entire Ṣalāh sitting, whether on the floor or on a chair, on condition that one is unable and incapable of placing his forehead on the ground.

According to Imām Zufar, Imām Mālik, Imām Shāfi'ī, and Imām Aḥmad ibn Ḥambal Raḥimahumullāhu Ta'ālā Qiyām and Rukū' remain farḍ (mandatory) as long as a person is able to. If one performs the entire Ṣalāh sitting, the Ṣalāh will not be valid.

It appears in *al-Hidāyah* (d. 593 AH):

وإن قدر على القيام ولم يقدر على الركوع والسجود لم يلزمه القيام ويصلي قاعدا يؤمى إيماء لأن ركنية القيام للتوسل به إلى السجدة لما فيها من نهاية التعظيم فإذا كان لا يتعقبه السجود لا يكون ركناً فيتخير والأفضل هو الإيماء قاعداً لأنه أشبه بالسجود

If he is able to stand and is unable to bow and prostrate, Qiyām is not compulsory upon him. He should perform Ṣalāh sitting with gestures (for Rukūʿ and Sajdah). This is because the Qiyām posture is a medium towards Sajdah, for the latter contains the pinnacle of submission and worship. When Sajdah does not follow it, it does not hold as a [compulsory] posture. Hence, he is free to choose. The best is to make gestures while sitting, for it resembles Sajdah the closest.¹

It is written in *Sharḥ al-Wiqāyah* (d. 747 AH):

وإن تعذر الركوع والسجود لا القيام قعد وأوماً وهو أفضل من الإيحاء قائماً لأن القعود أقرب من السجود وهو المقصود لأنه غاية التعظيم

If Rukūʿ and Sajdah are difficult, not Qiyām, he should sit and make gestures (for Rukūʿ and Sajdah). This is better than making gestures while standing because sitting is closer to Sajdah, which is the object for it is the height of submission and worship.²

It is learnt from this text that to perform [the entire] Ṣalāh sitting and make gestures for Rukūʿ and Sajdah is superior to performing [the entire] Ṣalāh standing and making gestures for Rukūʿ and Sajdah while standing. However, whether standing for the Qiyām posture [only] and then sitting and making gestures for Rukūʿ and Sajdah or sitting from the beginning [and making gestures for Rukūʿ and Sajdah] is superior has not been learnt. It is necessary to make a special note of this as people are unaware of it.

The text of *al-Hidāyah* states, “Hence, he is free to choose.” This has been elucidated on in the footnotes as follows:

بين الإيحاء قائماً والإيحاء قاعداً كما ذكرنا

... between making gestures while standing or making gestures while sitting, as we have mentioned previously.³

The same point is retold here which was clearly pointed out in *Sharḥ al-Wiqāyah*.

Imām Muḥammad has written in *al-Aṣl* (*al-Mabsūṭ*):

فإن صلى وكان يستطيع أن يقوم ولا يستطيع أن يسجد قال يصلي قاعداً يؤمّي إيحاء قلت فإن صلى قائماً يؤمّي إيحاء قال يجوز

¹ *Al-Hidāyah*, chapter on the Ṣalāh of the ill, vol. 1 pg. 162.

² *Sharḥ al-Wiqāyah*, vol. 1 pg. 227. The same appears in *al-Durr al-Mukhtār*, vol. 1 pg. 561, Rashīdiyyah.

³ *Al-Hidāyah*, chapter on the Ṣalāh of the ill, vol. 1 pg. 162, footnote: 6.

What about a person performing Ṣalāh who is able to stand and is not able to prostrate?

He should sit and perform Ṣalāh making gestures (for Rukū' and Sajdah).

If he performs Ṣalāh standing and makes gestures (for Rukū' and Sajdah)?

His Ṣalāh will be valid.⁴

It appears in *al-Ziyādāt*, the commentary of Qāḍī Khān:

قال محمد رحمه الله رجل بحلقه جراح لا يقدر على السجود ويقدر على غيرها من الأفعال فإنه يصلي قاعدا بإيحاء لأن القيام والركوع شرعا وسلية إلى السجود لأن معنى القربة في الخرور والخرور سقوط من القيام فكان القيام وسيلة إلى السجود ولهذا شرع السجود قربة خارج الصلوة دون القيام والركوع فإذا سقط السجود لإمكان العجز سقط الوسيلة والتبع تحقيقا للتبعية

Muḥammad Raḥimahullāhu Ta'ālā says: A man with injuries on his throat who is unable to make Sajdah but is able to carry out all other postures will perform Ṣalāh sitting with gestures (for Rukū' and Sajdah) since Qiyām and Rukū' have been prescribed as a medium to Sajdah. This is because the essence of worship is in Sajdah which is attained by falling down from the standing posture. Hence, Qiyām is the medium to Sajdah. On account of this, Sajdah has been prescribed as a form of worship outside Ṣalāh, unlike Qiyām and Rukū'. When Sajdah is waived due to incapability, the medium and subordinate falls away due to subordinacy.⁵

Qāḍī Khān has written this commentary of Imām Muḥammad in *al-Ziyādāt* by way of *inclusion*. Therefore, it is not known what amount is Imām Muḥammad's and what amount is Qāḍī Khān's. The first portion is definitely Imām Muḥammad's, but the asserter of the remainder remains unknown.⁶

A similar thing is documented in al-Sarakhsī's (d. 490 AH) *al-Mabsūṭ*, i.e., that Qiyām which is not followed by Rukū' and Sajdah is not a *rukn* (integral posture i.e., farḍ) since the prescription of Qiyām is only to begin Rukū' and Sajdah. Therefore, the Qiyām which is not followed by a Sajdah is not a *rukn*.⁷

⁴ *Al-Mabsūṭ*, vol. 1 pg. 187.

⁵ *Al-Ziyādāt*, vol. 1 pg. 236.

⁶ See the introduction of the book of Doctor Qāsim Ashraf Nūr Aḥmad.

⁷ *Al-Mabsūṭ*, vol. 1 pg. 375.

It is written in *Fatāwā al-Nawāzil* (d. 375 AH) that if one does not have the ability to make Rukū' and Sajdah, Qiyām is not mandatory even though he has the ability of the same.⁸

Mukhtaṣar al-Qudūrī (d. 428 A.H.) has the same explanation.⁹

It appears in *Tajrīd li al-Qudūrī*:

One who does not have the ability to make Rukū' and Sajdah is allowed to perform Ṣalāh while sitting, even though he has the ability to stand. This is not permissible according to Imām Shāfi'ī *Raḥimahullāhu Ta'ālā*. Our proof is as follows:

صلوة القاعد على النصف من صلوة القائم إلا المترع ولأن من سقط عنه الركوع عاجز عن القيام وما سوى ذلك نادر فصار
الغالب من العذر كالموجود فوجب أن يسقط أحدهما بسقوط الآخر ولأن القيام لو وجب عليه من غير ركوع وسجود خرجت
الصلوة عن موضوعها إلى موضوع صلوة الجنائز لأنها قيام واحد وهذا لا يصح

The Ṣalāh of one sitting is half (in reward) than the Ṣalāh of one standing, besides one who sits cross-legged. This is because the one from whom Rukū' is waived is unable to perform Qiyām. Very rare is a case other than this found. Therefore, the dominant excuse has been considered existent and the waiving of one is necessary by the waiving of the other. This is because had Qiyām been compulsory upon him without Rukū' and Sajdah, the Ṣalāh would move away from its original form to the form of Ṣalāt al-Janāzah which is one Qiyām. And this is not correct.¹⁰

It appears in *Khazānat al-Akmal* (d. 522 AH):

إذا لم يستطع أن يسجد على الأرض أو ما وهو قاعد ولا يقوم وإن قدر على القيام عند أبي حنيفة وعندهم يقوم ويقعد

When he is unable to make Sajdah on the ground, he should make gestures while sitting and he should not stand even though he is able to stand, according to Abū Ḥanīfah. According to the others, he may stand or sit.¹¹

From this text it is learnt that according to Imām Abū Ḥanīfah *Raḥimahullāhu Ta'ālā*, Qiyām is not permissible while according to others, both (standing and sitting) are permissible. And Allah guides whom He wills to the straight path.

It is written in al-Samarqandī's *Tuḥfat al-Fuqahā'* (d. 539 AH):

⁸ *Fatāwā al-Nawāzil*, pg. 72.

⁹ *Mukhtaṣar al-Qudūrī*, pg. 36.

¹⁰ *Tajrīd li al-Qudūrī*, vol. 2 pg. 629.

¹¹ *Khazānat al-Akmal*, vol. 1 pg. 54.

If he is able to stand and is unable to make Rukū' and Sajdah, he should perform Ṣalāh while sitting—not standing—and make gestures. This is mustaḥab (preferable). However, if he stands and makes gestures, it is also permissible. This is according to us.

Imām Shāfi'ī *Raḥimahullāhu Ta'ālā* states that he should perform Ṣalāh standing, not sitting, since Qiyām is a *rukn* which is not waived without a valid excuse. We say that majority of the time, those who are unable to make Rukū' are unable to perform Qiyām. Predominance is attached to certainty.

It is suitable for the ill to carry out the postures like a healthy person for waiving is in accordance with inability, and inability has not been found.¹²

There seems to be inconsistency in this paragraph. The last sentence contradicts the first part. If one is able to carry out Qiyām, then how can performance of Ṣalāh sitting be permissible? Moreover, to claim that: majority of the time those who are unable to make Rukū' and Sajdah are unable to perform Qiyām is not correct nowadays. In our time, people who perform Ṣalāh sitting on chairs, majority of them are unable to perform Sajdah but are able to stand and perform Rukū'. How then is it correct to allow them to perform Ṣalāh sitting?

Al-Kāsānī (d. 587 AH) writes in *Badā'i' al-Ṣanā'i'*:

If someone is able to stand but is unable to make Rukū' and Sajdah, he should perform Ṣalāh sitting with gestures. If he stands and performs Ṣalāh with gestures, it will suffice him, however this is not preferred.

Imām Zufar and Imām Shāfi'ī state that he has to perform Ṣalāh standing, otherwise his Ṣalāh is not valid. Their proof is Rasūlullāh's *Ṣallallāhu 'alayhi wasallam* statement to Sayyidunā 'Imrān ibn Ḥuṣayn *Raḍiyallāhu 'anhumā*:

فإن لم يستطع فقاعدا

If he is unable (to stand), he should sit (and pray).

The permissibility of sitting and performing Ṣalāh has been made conditional to the inability to stand. And there is no inability here. The second reason is that Qiyām is a *rukn*. Therefore, to discard it while having the ability to carry it out will not be permissible. To perform Ṣalāh standing with gestures in some cases is permissible. For instance, a person is standing in mud or a person is standing in fear of the enemy, he should perform Ṣalāh standing with gestures. The same applies here.

¹² *Tuhfat al-Fuqahā'*, vol. 1 pg. 190.

Our answer is that most of the time, an individual who is unable to carry out Rukū' and Sajdah, is all the more unable to carry out Qiyām because moving from a sitting posture to a standing posture is more difficult than moving from a standing posture to Rukū'. Majority is attached to conviction in rulings. It is as if he is unable to carry out both. Yes, if he performed Ṣalāh standing, it will be valid because he forced himself to carry out an action which was not compulsory upon him. Like one who took the pains to make Rukū', it will be permissible, although it is not compulsory for him. The same will apply here.

The second proof is that Sajdah is the original and the rest of the postures are secondary to it. Following this, Sajdah is valid without Qiyām, like in Sajdat al-Tilāwah whereas Qiyām without Sajdah is not counted, in fact not prescribed without it. When the original has been dropped off, then the secondary falls away necessarily. As a result, Rukū' falls away from the person from whom Sajdah falls away, even though he has the ability to carry out Rukū', since it is secondary to Sajdah. Qiyām will fall away in the same manner (when one is unable to make Sajdah). In actual fact, all the more, because there is more submission found in Rukū' than in Qiyām and the manifestation of submission of worship is more. Now that Rukū' is subservient to Sajdah and it falls away with the falling away of Sajdah, then Qiyām will fall away all the more. Nonetheless, if he forces himself to stand and perform Ṣalāh, it will be permissible—albeit not preferred—because Qiyām without Sajdah is not prescribed. This is contrary to the situation when one has the ability to carry out Qiyām, Rukū', and Sajdah in which case, since the original has not fallen away, the secondary will not fall away.

Nonetheless, with regards to the ḥadīth, we accept it as a requisite. Inability is a condition (for it falling away). Here, inability is in relation to what is common. We have mentioned before that in such cases, inability is very common, and ability is very rare. And something rare is as good as non-existent.¹³

Examining this Ruling

Things like these have been mentioned in many of our books. Our students have presented to us the texts of approximately 45 books. There is no need to reproduce all of them here. Two reasons have been provided for this ruling in all these books. It is unknown whether these two reasons are reported from Imām Abū Ḥanīfah and Ṣāḥibayn (Imām Abū Yūsuf and Imām Muḥammad) or from the later Fuqahā'. This point is not clearly apparent from the texts of the books. Nonetheless, from whomsoever they have been reported, both aspects are not satisfying. It appears that in this ruling, fatwā ought to be issued on the view of Imām Zufar. Instances like these are existent in Fiqh. The ruling has been reported clearly. The text of *al-Mabsūṭ* of Imām Muḥammad has been

¹³ *Badā'i' al-Ṣanā'i'*, vol. 1 pg. 260.

reproduced above. This ruling is mentioned in *ẓāhir al-riwāyah*. However, it is unknown as to who was the first to provide the two reasons.

The Answer to the Author of *al-Badā'i'*

The author of *al-Badā'i'*, and before him the author of *al-Tuḥfah* and others, have said that majority of the time, those who are unable to carry out Rukū' and Sajdah and unable to carry out Qiyām, because standing after the first rak'ah is more difficult ...

The answer to this may be as follows: He should perform the first rak'ah standing and the second rak'ah sitting. There is no harm in this.

The author of *al-Tuḥfah* said:

ينبغي للمريض أن يأتي بالأركان كلها مثل الصحيح لأن السقوط بقدر العجز

It is appropriate for the ill to carry out all the postures just like a healthy person for waiving is in accordance with inability.¹⁴

How has permission been given to sit from the beginning when the person was not unable to stand? To perform portion of the Ṣalāh standing and a portion sitting is permissible. Such instances do appear in ḥadīth and fiqh.

Secondly, it has become a common practice nowadays to perform Ṣalāh sitting on a chair. And there is no difficulty in standing up for the second rak'ah when performing Ṣalāh on a chair. Therefore, to claim that majority of the time those who are unable to carry out Rukū' and Sajdah are unable to stand is useless. Owing to this, the permission given to perform Ṣalāh sitting is invalid and the Ṣalāh performed sitting is not accepted. An important worship like Ṣalāh which will be taken to account first on the Day of Qiyāmah, and if it passes the test, a person will be successful otherwise a failure, how has such nerve been taken with regards to it? The ḥadīth of Sayyidunā 'Imrān ibn Ḥuṣayn Raḍiyallāhu 'anhu is sufficient. The individual who is able to perform Ṣalāh standing should perform standing, otherwise sitting, otherwise lying down.

What was the need to bring in the discussion of majority of the time and rareness? Which proof forced this discussion?

What the author of *al-Tuḥfah* said is absolutely correct:

¹⁴ *Tuḥfat al-Fuqahā'*, vol. 1 pg. 190.

ينبغي للمريض أن يأتي بالأركان كلها مثل الصحيح لأن السقوط بقدر العجز

It is appropriate for the ill to carry out all the postures just like a healthy person for waiving is in accordance with inability.¹⁵

As long as a person is able to carry out Qiyām and Rukū‘ normally, he should carry it out normally. And if he is unable to make Sajdah on the ground, he should make a gesture.

لأن الإياء قام مقام الفعل عند ضرورة أداء الفعل

Because a gesture stands as a substitute for an action when the carrying out of that action is necessary.¹⁶

It is written in *al-Nahr al-Fā’iq* that if one is able to stand for Qirā’ah, he should stand and recite. Then when the time of Rukū‘ and Sajdah comes, he should sit and make gestures.¹⁷

Al-Ḥalabī states in *Sharḥ al-Munyah al-Kabīr*:

To state that standing and making gestures is superior is more intellectual, for in this instance, one will exit the ikhtilāf (and the Ṣalāh will be valid according to all). Although, I did not see anyone mentioning this.¹⁸

This is a fundamental point, although no one has applied it until now, it should be implemented. The author of *I’lā’ al-Sunan* has classified this position most cautious.¹⁹

Nabī Ṣallallāhu ‘alayhi wasallam stated:

إذا أمرتكم بأمر فأتوا منه ما استطعتم

When I issue a command to you, then carry out as much as you are able to.²⁰

This individual is able to stand, hence it is mandatory upon him to carry it out. This was stated by Ibn Amīr Ḥājj in *Ḥalabat al-Mujallī*.²¹

This is the very same researcher Ibn Amīr Ḥājj who submitted that there is no problem in ensuring the recitation of the du‘ās of Qawmah and Jalsah during Farḍ Ṣalāh, although

¹⁵ *Tuḥfat al-Fuqahā’*, vol. 1 pg. 190.

¹⁶ *Fatāwā al-Tanāzul*, pg. 72.

¹⁷ *Al-Nahr al-Fā’iq*, vol. 1 pg. 337.

¹⁸ *Sharḥ al-Munyah*, pg. 266; *al-Radd al-Muḥtār*, vol. 1 pg. 329, Rashīdiyyah.

¹⁹ *I’lā’ al-Sunan*, vol. 7 pg. 203.

²⁰ *Ṣaḥīḥ al-Bukhārī*, vol. 2 pg. 1082; *Ṣaḥīḥ Muslim*, vol. 2 pg. 262.

²¹ *Ḥalabat al-Mujallī*, vol. 2 pg. 30.

the Mashāyikh have not clearly stated this. This is due to the simple fact that the Shar'ī laws do not prohibit or reject it. How can this ever be when Ṣalāh is the name of tasbīḥ (glorification of Allah), takbir (pronouncing the greatness of Allah), and recitation of Qur'ān as declared in the ḥadīth.²² And Allah knows best.

The ḥadīth pointed out appears in *Ṣaḥīḥ Muslim*²³ in the incident of Sayyidunā Mu'āwiyah ibn Ḥakam al-Sulamī *Raḍiyallāhu 'anhu*, in the chapter on the prohibition of talking during Ṣalāh.

'Allāmah al-Shāmī quoted this text in *al-Radd al-Muḥtār* in the discussion of Qawmah where mention has been made of du'ās other than tasbīḥ to be recited in Rukū' and Sajdah.²⁴

This text is extremely valuable and should be remembered. This is an issue of Qiyām which has been ordered in the Glorious Qur'ān and clearly stated in the ḥadīth mentioned previously. If any mujtahid prohibits it (the latter 'Ulamā' especially), then it should be discarded and another mujtahid's view should be adopted which is in conformity with the Qur'ān and ḥadīth. As a result, our Fuqahā' have issued fatwā in a number of rulings on Imām Zufar's *Raḥimahullāhu Ta'ālā* view, and have discarded the view of Imām Abū Ḥanīfah, Imām Abū Yusuf, and Imam Muḥammad *Raḥimahumullāhu Ta'ālā*. This is not obscure to the Muftis. The view of Ṣāḥibayn has been favoured in countless instances. Issuing a verdict on the view of Ṣāḥibayn is not out of the ambit of Ḥanafīyyat. Similarly, issuing a verdict on the view of Imām Zufar and practicing upon it is not out of the ambit of Ḥanafīyyat. This was the attitude and perspective of Shāh Waliyyullāh Muḥaddith Dehlawī *Raḥimahullāhu Ta'ālā* which has been transferred to the 'Ulamā' of Deoband. Allah Ta'ālā inspired this to Mawlānā Ṣafar Aḥmad Thānawī *Raḥimahullāhu Ta'ālā* which he penned in *I'lā' al-Sunan* and left this temporary world. Muftī Muḥammad Taqī 'Uthmānī *madda zilluhū* has mentioned this in his article. Take heed and observe insight.

However, they have not discussed giving fatwā on the view of Imām Zufar. This is from my side. I am presenting it to the 'Ulamā' and Muftis. They should ponder deeply over it and tell me whether it is possible.

²² *Ḥalabat al-Mujallī*, vol. 2 pg. 167, Dār al-Kutub al-'Ilmiyyah print.

²³ *Ṣaḥīḥ Muslim*, vol. 1 pg. 203.

²⁴ *Al-Shāmī*, vol. 1 pg. 374, Rashīdiyyah.

Examining the Second Reason

The second reason presented by the author of *al-Badā'i* is that Sajdah is primary and the rest of the postures are secondary to it. Owing to this, Sajdah without Qiyām is valid whereas Qiyām without Sajdah is not valid. Actually, it is not even prescribed without Sajdah.

This reason is more famous in our books in relation to the first reason. More or less the same reason passed in Qāḍī Khān's (d. 592 AH) commentary *al-Ziyādāt*. It was mentioned that Qiyām and Rukū' have been prescribed as a medium to Sajdah. The entire text has passed.

Prior to him, al-Sarakhsī (d. 490 AH) made a similar statement in *al-Mabsūṭ* i.e. the Qiyām which is not followed by Rukū' and Sajdah is not a rukn because Qiyām has only been prescribed to initiate Rukū' and Sajdah. The entire text passed.

The author of *al-Fiqh al-Nāfi'* (d. 556 AH) mentioned a similar reason i.e. if one is unable to make Rukū' and Sajdah, Qiyām is not compulsory since Qiyām was only prescribed with Rukū' and Sajdah as a medium for submission.²⁵

This very reason has been documented in *al-Hidāyah*, *Khulāṣat al-Dalā'il*, *al-Muḥīṭ al-Burhānī*, *Dhakhīrat al-Fatāwā*, *Sharḥ Tuḥfat al-Mulūk*, *al-Ikhtiyār*, *Majma' al-Baḥrayn*, *Tabyīn al-Ḥaqā'iq*, *Majma' al-Anhur Sharḥ Multaqā al-Abḥur*, *al-Baḥr al-Rā'iq*, *Marāqī al-Falāḥ*, and many many other books.

We could not ascertain whether this reason is from Imām A'zam (Abū Ḥanīfah) and Ṣāḥibayn or the Mashāyikh after them. Whichever the case, this reason is weaker than the first. No one has supported this reason with a marfū' ḥadīth, the statement of a Ṣaḥābī, or the statement of a Tābi'ī. This reveals that this reason—in the form of qiyas—comes to challenge an unequivocal verse of the Qur'ān and the ṣaḥīḥ ḥadīth of Sayyidunā 'Imrān ibn Ḥuṣayn *Radīyallāhu 'anhu* whereas this qiyās is not supported by any naṣṣ, ḥadīth, or athar.

The Answer to this Reason

In our research, the first to criticise this reason is Muḥaqqiq Ibn al-Humām in *Fatḥ al-Qadīr*.

²⁵ *Al-Fiqh al-Nāfi'*, vol. 1 pg. 260.

The author of *al-Hidāyah* stated that Qiyām being a rukn is only as a medium to Sajdah because Sajdah is the acme of worship. When Qiyām is not followed by Sajdah, then Qiyām does not remain a rukn.

Ibn al-Humām has the following to say:

It is not accepted that Qiyām has been prescribed only as a medium to Sajdah. It has been prescribed for that purpose and because Qiyām itself contains submission and adoration. Because of this, oppressive kings approve of it for themselves as is witnessed. One form of submission [Sajdah] is not present, but the other [Qiyām] is existent.

Another proof to discredit this claim is that a person who is able to sit and make Rukū' and Sajdah and is unable to stand, sitting is mandatory upon him, although that level of submission is not found in the Sajdah that follows, like the submission found in the Sajdah after Qiyām, since Qiyām is not existent in this case.²⁶

After quoting this, Mawlānā Zafar Aḥmad Thānawī remarks:

وهذا إيراد قوي لا يدان دفعه

This is such a strong objection which is unanswerable.²⁷

Another supporting evidence is that the esteemed Ṣaḥābah Raḍiyallāhu 'anhum would not stand for Rasūlullāh Ṣallallāhu 'alayhi wasallam despite Rasūlullāh Ṣallallāhu 'alayhi wasallam being the most beloved to them. They were fully aware that he despised this. Al-Tirmidhī reports this from Sayyidunā Anas Raḍiyallāhu 'anhu and comments, "This is a ḥasan ṣaḥīḥ ḥadīth."²⁸ This was the practice of the arrogant and haughty whereas Rasūlullāh Ṣallallāhu 'alayhi wasallam was extremely humble for the sake of Allah Ta'ālā.²⁹

Abū Dāwūd reports on the authority of Sayyidunā Abū Umāmah Raḍiyallāhu 'anhu that once Rasūlullāh Ṣallallāhu 'alayhi wasallam exited leaning on a staff and we stood up. Seeing this Rasūlullāh Ṣallallāhu 'alayhi wasallam stated, "Do not stand up like the non-Arabs. Some of them keep standing in adoration of others."³⁰

It is learnt from these aḥādīth that submission is found in Qiyām. Probably, Ibn al-Humām was hinting towards such aḥādīth. And Allah knows best.

²⁶ *Faṭḥ al-Qadīr* with *al-Kifāyah*, vol. 1 pg. 460.

²⁷ *I'lā' al-Sunan*, vol. 7 pg. 201.

²⁸ *Mishkāt*, chapter on qiyām, pg. 403.

²⁹ *Mirqāt*.

³⁰ *Mishkāt*, chapter on qiyām, pg. 403.

These aḥādīth speak of submission in Qiyām. Qiyām is desired and commanded in Ṣalāh. It is not only the medium to Sajdah. Thus, in the instance of the inability to make Sajdah, to delete the obligation of Qiyām does not make sense at all.

Mawlānā Ṣafar Aḥmad Ṣāḥib writes in *I'lā' al-Sunan*:

إن ركنية القيام قد ثبتت بالنص وهو قوله تعالى وقوموا لله قانتين وقوله صلى الله عليه وسلم لعمران صل قائما فإن لم يستطع فقعاعدا وبالإجماع فلا يسقط وجوبه عن القادر عليه بالقياس الذي ذكرتموه فإن القياس أضعف الدلائل لا يجوز معارضة القطعي له

The obligation of Qiyām has been established by naṣṣ i.e. Allah Ta'ālā's declaration, "And stand before Allah devoutly obedient,"³¹ his (Ṣallallāhu 'alayhi wasallam) command to 'Imrān, "Perform Ṣalāh standing. If you cannot, then sitting," and consensus. Its obligation may therefore not fall way from one able to carry it out on the basis of the qiyās that you have presented since qiyās is the weakest of proofs which cannot challenge something categorical.³²

After quoting this, Muftī Muḥammad Taqī 'Uthmānī *madda ḡilluhū* writes:

The statement of the esteemed author may be further strengthened by the glorious Qur'ān's verses:

وتوكل على العزيز الرحيم الذي يراك حين تقوم وتقلبك في الساجدين

*And rely upon the Exalted in Might, the Merciful, Who sees you when you arise and your movement among those who prostrate.*³³

والذين يبيتون لربهم سجدا وقياما

*And those who spend [part of] the night to their Lord prostrating and standing [in prayer].*³⁴

In these verses, Qiyām has been mentioned separately from Sajdah and established as a distinct reason for praise. Moreover, at many places the word Qiyām has been uttered and the entire Ṣalāh meant. Many verses of Sūrah al-Muzzammil are evidence to this. This indicates Qiyām being distinct and an objective. Therefore, the words of Ibn al-Humām and Mawlānā 'Uthmānī carry much weight that Qiyām is not only a medium to

³¹ Sūrah al-Baqarah: 238.

³² *I'lā' al-Sunan*, vol. 7 pg. 203

³³ Sūrah al-Shu'arā': 217 – 219.

³⁴ Sūrah al-Furqān: 64.

Sajdah, but in actual fact, it is a distinct and an integral rukn in itself and that in the instance of the inability to make Sajdah, the reason for it falling away is weak i.e. it being secondary to Sajdah and since Sajdah fell away, it falls away.

Probably due to this ‘Allāmah Sirāj al-Dīn Ibn Nujaym said in *al-Nahr al-Fā’iq* that the one who is able to stand, it is farḍ for him to stand to recite Qirā’ah. When it comes to making Rukū‘ and Sajdah, he should sit and make gestures.³⁵

Al-Ṭaḥṭāwī has also quoted this. He also said that Zayla’ī’s text appears to state that the rukn of Qiyām falls away completely.³⁶

Although al-Shāmī labelled this view contrary to all other Ḥanafī Fuqahā’ and attributed it to an error on their part. (However, it is possible that they intentionally contradicted the majority Ḥanafī scholars because the proof does not support them and instead sided with the three Imāms and Imām Zufar as is apparent from al-Ṭaḥṭāwī’s text. (Faḍl al-Raḥmān)

‘Allāmah al-Shāmī quotes from *al-Quhustānī*, *al-Zāhidī*, and *al-Walwālījīyyah* that such an individual should stand up and make a gesture for Rukū‘ and sit and make a gesture for Sajdah. In *al-Muḥīṭ al-Burhānī*, the same has been quoted from Shaykh al-Islām Khāharzādah.³⁷

‘Allāmah Sarakhsī has reported this view from Bishr:

إنما سقط عنه بالمرض ما كان عاجزا عن إتيانه فأما فيما هو قادر عليه لا يسقط عنه

Only that falls away from him which he is unable to carry out due to illness. What he is capable of doing does not fall away from him.³⁸

Most probably, Bishr refers to Bishr ibn Mu‘allā, the student of Imām Abū Yūsuf *Raḥimahullāhu Ta‘ālā*.

‘Allāmah ‘Uthmānī comments on the view of the author of *al-Nahr*:

والأحوط عندي ما ذكره في النهر من وجوب القيام عليه للقراءة وهذا وإن تفرد صاحب النهر بذكره ولم يوافقه عليه أحد من ناقلي المذهب ولكنه قوي من حيث الدليل فإن ظاهر حديث عمران مؤيد له كما لا يخفى والله تعالى أعلم

³⁵ *Al-Nahr al-Fā’iq*, vol. 1 pg. 337.

³⁶ *Al-Ṭaḥṭāwī ‘alā al-Marāqī*, vol. 2 pg. 21.

³⁷ *Al-Muḥīṭ al-Burhānī*, vol. 3 pg. 27.

³⁸ *Al-Sarakhsī: al-Mabsūṭ*, vol. 1 pg. 213.

The most cautious stance according to me is what he mentioned in *al-Nahr* of Qiyām being obligatory upon him for recitation. This, although the author of *al-Nahr* is the only one who mentioned it and no one from those who transmit the madhhab concurred with him, is strong from the angle of proof. The apparent meaning of the ḥadīth of ‘Imrān supports it as cannot be concealed. And Allah Ta‘ālā knows best.³⁹

Expression of Surprise

When a person is able to perform Ṣalāh standing, then what necessitated our A‘immah and Mashāyikh to command him to sit and perform Ṣalāh, even though on the level of *istiḥbāb* (preference). If such a person stands and recites Qur’ān and makes gestures for Rukū‘ and Sajdah—whether standing or sitting—what harm was there in this? What coerced them to waive the obligation of Qiyām? This cannot be understood.

A Detailed Answer to the Author of *al-Badā’i*

The author of *al-Badā’i* said: Qiyām without Sajdah is not valid, in fact it is not even prescribed.

Answer: Ṣalāt al-Janāzah has only Qiyām, no Sajdah. It is valid in the Sharī‘ah. The ḥadīth refers to it as Ṣalāt al-Janāzah. Imām al-Bukhārī quoted several aḥādīth and stated:

سماها صلوة ليس فيها ركوع ولا سجود ولا يتكلم فيها وفيها تكبير وتسليم

He called it Ṣalāh. It neither has Rukū‘ nor Sajdah. One cannot speak during it. It has a takbir [to begin it] and salām [to end it].⁴⁰

The author of *al-Baḥr al-Rā‘iq* tried to answer it by stating:

صلوة الجنابة ليست بصلوة حقيقة بل هي دعاء

Ṣalāt al-Janāzah is not a Ṣalāh in reality, but actually a supplication.⁴¹

The ḥadīth labels it a Ṣalāh. Rasūlullāh Ṣallallāhu ‘alayhi wasallam states:

³⁹ *I’lā’ al-Sunan*, vol. 7 pg. 203. Study *al-Balāgh*, Karachi, Jumādā al-Ūlā 1434 AH, pg. 41 – 44.

⁴⁰ *Ṣaḥīḥ al-Bukhārī*, chapter on the prescribed Ṣalāh upon the deceased, vol. 1 pg. 176.

⁴¹ *Al-Baḥr al-Rā‘iq*, vol. 2 pg. 206.

من صلى على الجنازة

Whoever performs Ṣalāh over the deceased.

صلوا على صاحبكم

Perform Ṣalāh over your brother.

صلوا على النجاشي

Perform Ṣalāh over al-Najāshī.

And you say no, in reality it is not a Ṣalāh. What kind of talk is this? Being a du‘ā is not contradictory to Ṣalāh. The lexical meaning of Ṣalāh is du‘ā’. Ṣalāt al-Janāzah is a Ṣalāh for Allah Ta‘ālā as well as a du‘ā for forgiveness of the deceased and the Muslims. That is why it has takbīr and salām and cleanliness and facing the qiblah is a condition for it. It is not appropriate to say such things in support of the madhhab. Ibn Amīr Ḥājj provided the answer to this in *Ḥalabat al-Mujallī* without taking the name of Ibn Nujaym.⁴²

Nabī Ṣallallāhu ‘alayhi wasallam stated:

إنما هي التسيح والتكبير وقراءة القرآن

It (Ṣalāh) is only tasbīḥ, takbir, and recitation of the Qur’ān.⁴³

Sayyidunā Mu‘āwiyah ibn Ḥakam al-Sulamī Raḍiyallāhu ‘anhu was told this when he replied by saying, “May Allah have mercy upon you,” to one who sneezed. There is no mention here of Rukū’ and Sajdah. Furthermore, recitation of the Qur’ān takes place in Qiyām. The pronoun *it* refers to Ṣalāh.

Rasūlullāh Ṣallallāhu ‘alayhi wasallam stated:

أفضل الصلوة طول القنوت

The most superior Ṣalāh is lengthy qunūt i.e. Qiyām.⁴⁴

⁴² *Ḥalabat al-Mujallī*, vol. 2 pg. 30.

⁴³ *Ṣaḥīḥ Muslim*, chapter on the prohibition of talking in ṣalāh, vol. 1 pg. 203.

⁴⁴ *Mishkāt*, pg. 76, referenced to *Ṣaḥīḥ Muslim*, from Jābir Raḍiyallāhu ‘anhu.

والمراد بالقنوت ههنا القيام بالإتفاق أو عند الأكثرين

The purport of qunūt here is Qiyām by consensus or according to the majority.⁴⁵

Ibn Amīr Ḥājj presents this ḥadīth and comments, “Inability of complete submission i.e. Sajdah does not necessitate the deletion of submission itself i.e. Qiyām despite having the ability.”

Some have answered this by stating that lengthy Qiyām is superior because both Qiyām and Qirā’ah are present. This may be found in sitting as well when it is coupled with recitation.

Ibn Amīr Ḥājj says, “This is surprising. When superiority is due to the combination of actual Qiyām and Qirā’ah, then how can that virtue be attained with sitting—which is the substitute of it—combined with Qirā’ah, when one is able to carry out Qiyām? Forget superiority.”⁴⁶

‘Allāmah al-Kāsānī stated that without Sajdah, Qiyām is not even prescribed.

Upon this, if someone claims that in such a case, to stand and perform Ṣalāh ought to be impermissible because Qiyām is not prescribed in such a case. Then why do you label performing Ṣalāh standing permissible, albeit contrary to the preferred manner. You should label it impermissible. What answer will be given to this?

Al-Kāsānī said:

ولهذا سقط الركوع عمن سقط عنه السجود

Therefore, Rukū‘ is waived for one from whom Sajdah is waived.

Proof is needed for this claim that Rukū‘ falls away from one who is unable to make Sajdah. He himself writes that Rukū‘ contains greater submission and worship than Qiyām. This indicates that submission and worship is found in Qiyām, albeit less than Rukū‘. Then why have Qiyām and Rukū‘ been waived?

It has also been written that a gesture is the substitute for Rukū‘ and Sajdah. Shaykh al-Islām Khāharzādah mentioned this.⁴⁷ Then Qiyām with gestures for Rukū‘ and Sajdah ought to be valid.

⁴⁵ *Al-Lam‘āt*.

⁴⁶ *Ḥalabat al-Mujallī*, vol. 2 pg. 30.

⁴⁷ *Al-Muḥīṭ al-Burhānī*, vol. 3 pg. 27.

It is written in *al-Ikhtiyār*:

لأن فرضية القيام لأجل الركوع والسجود لأن نهاية الخشوع والخضوع فيهما

This is because the obligation of Qiyām is for the sake of Rukūʿ and Sajdah as the acme of submission and submissiveness is present there.⁴⁸

When Rukūʿ contains the acme of submission and submissiveness, then why does Rukūʿ fall away when one is unable to make Sajdah?

It is written in *Tabyīn al-Ḥaqāʾiq*:

ولنا أن المقصود الخشوع والخضوع لله تعالى وإنما يحصل ذلك بالركوع والسجود

We say that the object is submission and submissiveness to Allah Taʿālā. And this can only be attained with Rukūʿ and Sajdah.⁴⁹

In the instance of inability to perform Sajdah, why has Rukūʿ fallen away?

A startling explanation has been presented in *al-ʿInāyah* to the wording: if one is unable to stand, he should sit. Shaykh Akmal al-Dīn Bābartī writes in *al-ʿInāyah*:

وفإن قيل هذا تعليل على مخالفة النص لأن حديث عمران بن حصين يدل على أن المصير إلى القعود إنما هو عند العجز عن القيام والمفروض خلافه أجيب بأنه محمول على ما إذا كان قادرا على الركوع والسجود حالة القيام بدليل أنه ذكر الإيلاء في حال ما يصلي على الجنب فدل على أن المراد بحالة القيام القدرة على الأركان

If it is said that this ruling (the ruling to sit despite having the capability to stand) is contrary to naṣṣ because ʿImrān ibn Ḥuṣayn’s ḥadīth informs that adopting the sitting posture is only in the case of the inability of standing whereas the ruling is opposite to this.

The answer to this is that the ḥadīth applies to the instance where there is the ability to make Rukūʿ and Sajdah from the standing posture. (However, if there is the ability to stand and the inability to make Rukūʿ and Sajdah, then Qiyām is not necessary.) Proof for this is that the ḥadīth goes on to specify that if there is inability to sit, then he should perform Ṣalāh on his side and make gestures (for Rukūʿ and Sajdah). This indicates that

⁴⁸ *Al-Ikhtiyār*, vol. 1 pg. 105.

⁴⁹ *Tabyīn al-Ḥaqāʾiq*, vol. 1 pg. 202.

the meaning of the instance of Qiyām is when he is able to carry out all postures.⁵⁰ So that the contrast be correct.

Answer: We answer this by stating that although this explanation seems beautiful, it is incorrect. The reason for this is that in the instance of lying down, actual Rukū' and Sajdah is impossible, so definitely there will be gestures. However, in the sitting case, both are possible, actual Sajdah and gesture Sajdah. Are you suggesting that in the sitting posture, one who has the ability to make actual Sajdah should make gesture for the same? Gesture is only mentioned in the lying down case. Check properly.

Moreover, there is absolutely no proof or evidence for this explanation. The Sharī'ah simply says that if one does not have the ability to stand, he should sit and read. In the instance of the ability to stand, there is no leeway to sit. Hence, this ruling is contrary to naṣṣ and is thus rejected.

Discussion on Passing Verdict on Imām Zufar's View

I spoke about passing verdict on Imām Zufar's view earlier. This is nothing surprising. In several rulings, fatwā has been passed on Imām Zufar's view. *Al-Durr al-Mukhtār* and al-Shāmī speak about it, in the chapter on maintenance:

لا تفرض على غائب بإقامة الزوجة بينة على النكاح أو النسب ... وقال زفر يقضي بها أي النفقة لا به أي النكاح وعمل القضاة اليوم على هذا للحاجة فيفتى به وهذا من المسائل الست التي يفتى بها بقول زفر

It is not binding upon one absent by the wife presenting proof for the nikāḥ or lineage. Zufar says: Judgement will be passed of maintenance, not of the nikāḥ. The practice of the judges is upon this nowadays due to necessity. Accordingly, this verdict will be passed. This is from the six rulings in which fatwā is passed on Zufar's view.⁵¹

‘Allāmah al-Shāmī has written much detail in the footnote of this and has listed the six rulings which the author of *al-Durr al-Mukhtār* indicated towards after which he listed many more rulings in sequence which total 20.

In the present time, when the practice of sitting on the chair has become common, even some who are not excused and have the ability to make Sajdah, perform their Ṣalāh sitting on the chair seeing others doing this. (This is a factual observation.) Their Ṣalāh is not valid according to anyone. Many adherents of the Shāfi'ī madhhab sit and perform

⁵⁰ *Al-Ināyah*, vol. 2 pg. 6

⁵¹ *Al-Durr al-Mukhtār*, vol. 2 pg. 725, Rashīdiyyah, Quetta, Pakistan.

their Ṣalāh, whereas their Ṣalāh (in this manner) is not valid according to their madhhab. Moreover, it has been pointed out that both our reasons are weak. Added to this, some of our Fuqahā' label Qiyām necessary. Fatwā should be passed on their view since their view is in conformity with Imām Zufar's. This is quite logical. The verdicts of the author of *al-Nahr* etc. have passed who consider Qiyām necessary. The author of *I'lā' al-Sunan* gave preference to this view.

One Fatwā of 'Allāmah Gangohī

Question: An Imām who did not make intention of leading a female, due to him being unaware of her presence, or forgetting, or her joining the Ṣalāh quietly after it began, will her Ṣalāh be valid or not?

Answer: If the female stands at her designated place (i.e. behind the men) then making an intention for leading the female is not necessary. Without intention, the Ṣalāh of the female will be valid.⁵²

It appears as if this answer is in accordance with Imām Zufar's view. It appears in *al-Hidāyah*:

وإن لم ينو إمامتها لم تضره ولا تجوز صلوتها لأن الاشتراك دونها لا يثبت عندنا خلافا لـ زفر ... وإن لم يكن بجانبها رجل ففيه روايتان

If he did not make intention of leading her, it will not affect him and her Ṣalāh will not be valid because inclusion is not valid without intention according to us, contrary to Zufar.

If no man is standing next to her, then there are two views.

'Allāmah Gangohī stated that although the Imām did not make intention of leading females, yet their Ṣalāh will be valid. It is learnt from *Fatāwā al-Shāmī* that Imām Abū Ḥanīfah's *Raḥimahullāhu Ta'ālā* final view was that making intention for females is necessary for the validity of their Ṣalāh.

وظاهره أن قوله الأخير اشتراط النية مطلقا والعمل على المتأخر

⁵² *Bāqiyāt Fatāwā Rashīdiyyah*, pg. 162.

Apparently, his final view is intention being a condition irrespective of the situation, and practice is upon his final verdict.⁵³

When Imām A‘ẓam’s final verdict is intention being a condition in all cases, whether the females are next to the males or not, then it seems as if ‘Allāmah Gangohī’s answer was in accordance with Imām Zufar’s view.

Question: If someone points out that ‘Allāmah al-Shāmī wrote prior to this:

وظاهر عود الضمير في صلاتها على المرأة المحاذية أي لإمام أو لمقتد أنها لو اقتدت غير محاذية لأحد صح اقتداءها وإن لم ينوها إلا
إذا نفى إمامة النساء كما في القهستاني

The pronoun in *her Ṣalāh* is apparently to a female standing in line with the Imām or follower. If she follows without being in line to anyone, her following is valid even if he (the Imām) did not make intention for her except if he rejected leading females, as appears in *al-Quhustānī*.⁵⁴

‘Allāmah Gangohī’s fatwā is according to this.

Answer: This is correct. However, this is Imām Abū Ḥanīfah’s first view which ‘Allāmah al-Shāmī quoted from *al-Nihāyah*. He deduced from here that establishing intention as a condition in all cases is Imām Abū Ḥanīfah’s final verdict. The final verdict is practiced upon, as is obvious. Owing to this, in the text of *al-Mukhtār*, it was written unconditionally that females are not included in the Ṣalāh of males except with the intention of the Imām. A similar statement appears in the text of *al-Majma‘*.

When the first view has been retracted from and has become as good as non-existent, I understand that ‘Allāmah’s fatwā is upon Imām Zufar’s view.

Proof for this Ruling

The Ḥanafiyyah have presented the statement of Sayyidunā Ibn Mas‘ūd Raḍiyallāhu ‘anhu as proof for this ruling:

أخروهن من حيث أخرهن الله

⁵³ *Al-Shāmī*, chapter on imāmah, vol. 1 pg. 426, Rashīdiyyah.

⁵⁴ *Al-Shāmī*, chapter on imāmah, vol. 1 pg. 426.

Put them behind as Allah has put them behind.⁵⁵

This is not a marfū‘ ḥadīth. This is the statement of Sayyidunā Ibn Mas‘ūd *Radīyallāhu ‘anhu* which appears in the incident of the Banū Isrā’īl. To deduce from it that for the validity of females’ Ṣalāh, the Imām’s intention of leading them is necessary, is quite far-fetched. This may be deduced that if any female stands in line with a man in congregational Ṣalāh, he has acted against the command of the Sharī‘ah, hence his Ṣalāh is not valid. To deduce more than that is quite difficult for people like us.

It is very possible that ‘Allāmah Gangohī abandoned the view of Imām Abū Ḥanīfah in the case of males and females not being next to one another due to the weakness of the proof and opted for Imām Zufar’s view. And Allah knows best!

There are more examples in the lessons and fatāwā of ‘Allāmah Gangohī. If there be a need, we can reproduce them. This is not far-fetched at all from prominent ‘Ulamā’ like ‘Allāmah Gangohī.

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⁵⁵ *Muṣannaf ‘Abd al-Razzāq*, vol. 3 pg. 149.