

## The Meaning of Wajib

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In the name of Allah, Most Gracious, Most Merciful. All praise is due to Allah, the Lord of the Universe. Peace and blessings be upon The Final Prophet and Leader of the God-fearing, Muhammad, and upon his virtuous Household, his righteous Caliphs and noble companions, his heirs from among the practising scholars, and upon all who follow them in goodness upto the Day of Judgement.

Assalamu 'alaykum

>But the obligation to recite surah al-Fatihah in salah,  
>or to perform salat al-witr ... are on the other hand classified under  
>wajib, as they are both established in the authority of hadith whose  
>authenticity is not completely free of doubt.

Some clarification is in order here. It is not strictly true that a wajib is based on a hadith whose authenticity is doubtful. In fact, a weak hadith cannot, generally, be used in legislation of rulings (aHkaam). What is more accurate is to say that a Wajib, in the Hanafi school, is an obligation which is almost Fard, except that there is some (margin of uncertainty, which may occur in the form of counter-evidence, which suggests non-obligatory nature of the deed), and the scholars have therefore refrained from pronouncing a decisive verdict of "fard" on it. Nevertheless, for purposes of action, a wajib is treated like a fard, in that it should not be deliberately discarded, and it must be made up if it was missed for some reason. For this reason, 'wajib' of the Hanafi school is also known as "fard 'amali" (i.e. an 'action fard') as opposed to fard i'tiqadi ('belief fard'), the normal fard, which one is required not only to act upon, but also to believe with full certainty and conviction that it is without doubt a duty.

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I will illustrate the meaning of the Hanafi term wajib by reference to the 2 examples cited above.

### I. Witr

There is no dearth of authentic ahadith about the Witr prayer, the fact that the Prophet (may Allah bless him and grant him peace) performed it himself on a regular basis, and that he encouraged others to observe it. There is evidence indicating that the Witr prayer is obligatory, e.g. the various narrations of the hadith: "Witr is a binding obligation, and so whoever does not perform witr is not one of us." Hafiz Zayla'i has recorded these ahadith, with their sources, in "Nasb al-Rayah". However, Imam Abu Hanifah refrained from pronouncing witr as fard, due to the existence of counter-evidence, e.g. the hadith reported by Bukhari and others, about the Bedouin who asked the Prophet about the 5 pillars of Islam. When the Prophet told him about the 5 daily prayers, he asked, 'is there anything in addition to this?' and the Prophet said, 'No, unless you wish to do something optional.' Yet, the Witr is certainly not an ordinary sunnah either, because of the warnings to those who abandon it, and because of the Prophet's regular observance of it - the Witr prayer and the 2 sunnah of Fajr are prayers which he never abandoned, even on a journey. Thus, witr is wajib according to Imam Abu Hanifah.

Incidentally, witr is also considered one of the most important non-fard prayers by the other schools, and it can be made up later if it was missed for some reason. It has been reported that Imam Ahmad ibn Hanbal said that if a person who used to be regular in performing witr gives it up, he loses his respectability and credibility, so that his testimony will not be accepted in an Islamic court. Imam al-Shafi'i was asked about witr, and he said it is sunnah, but that he will not permit anyone to leave it off.

### 2. Recitation of the Fatihah

Again, there are abundant authentic ahadith about recitation of the Fatihah, such as that extracted by Bukhari and others, "There is no prayer for the one who did not recite the

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Opening of the Book (i.e. the Fatihah)". Based on these ahadith, the 3 Imams (Malik, al-Shaft'i and Ahmad) said that the Fatihah is a fard, and the prayer is invalidated if it is omitted deliberately. The Hanafi view is that it is wajib rather than fard, and their reasoning is as follows:

The first primary source of legislation is the Noble Qur'an, and in it Allah says, ("Recite what is easy for you of the Qur'an"). The applicability of this verse to salah is confirmed by the hadith, reported by Bukhari and others, of the man who was performing his salah badly, and was told repeatedly by the Prophet to repeat it. Finally, the Prophet taught him how to pray, and part of Bukhari's narration says, "idha qumta ilaS-Salaati fa-kabbir, thumma qra' man tayassara ma' aka mm al-qu'aan" (When you stand up for prayer, pronounce Takbir, then recite whatever is easy for you out of (those portions of) the Qur'an which you have memorized.)"

The basis here is still the verse of the Qur'an mentioned above (it is in Surah al-MuzzammiD. Now, one of the principles of the Hanafi school is that a verse of the Qur'an cannot be abrogated (cancelled) by a singular (aaHaad) hadith; something legislated in the Qur'an can only be modified by mass-narrated (mutawatir) badith which leave no room for uncertainty. However, in this case, the hadith about reciting the fatihah have been claimed to be at the level of mutawatir. (See al-Kittani's "Nazm al-Mutanathir mmm al-Hadith al-Mutawatir" for example.)

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The Hanafi response is that even if the ahadith are mutawatir, they are still not absolutely definitive and conclusive, because they do not necessarily mean that the Fatihah is Fard. The hadith quoted earlier, for example, could mean "the prayer of the one who did not recite the Fatihah is deficient and lacking." This is acceptable Arabic diction, and in the same light do we interpret the hadith "The fornicator is not a believer while he fornicates", i.e. his faith is not perfect, not that he is a kafir, for by consensus he enters Heaven eventually, even if he dies in the very act of fornication, provided he maintains the correct doctrine. Another example, which serves to illustrate the issue is that which has been reported about the Prophet, that he said, "There is no wudu for the one who did not mention the name of Allah over it". Again, the majority of scholars have agreed that the "Bismillah" at the start of wudu is sunnah rather than farD.

[NOTE: Generally, if a hadith is mutawatir, it is not permissible to depart from the primary/literal meanings of the words. However, in this instance, such interpretation is made in the light of conflict with another mutawatir evidence, namely the verse of the Qur'an already cited.]

In fact, some Hanafi scholars have even ventured to say that the Fatihah is wajib not because of the ahadith alone (for as mentioned already, they do not suffice to establish a fard in this case); rather, it is wajib because of the Prophet's persistent and continuous practice of never omitting it in a prayer, so that it would very likely be considered wajib even in the absence of the hadith "There is no prayer for the one who does not recite the Fatihah".

For reference, we may mention that the wajib constituents of the salah are at least 12 in number:

1. Recitation of the Fatihah in every rak'ah of every prayer (this is the safer position, arrived at by latter Hanafi scholars, and is in accordance with the other 3 schools, although Imam Abu Hanifah himself, as well as his two Companions (Abu Yusuf and Muhammad ibn al-Hasan), considered recitation in the last two rak'ahs of the Fard prayer to be only sunnah. Nevertheless, our example is the Prophet, and there is no report of the Prophet ever having left out the Fatihah in any rak'ah, and therefore we should follow this, especially since there is a risk of the prayer becoming void if the Fatihah is not recited, whereas there is no harm (and in fact it is preferable) even according to Imam Abu Hanifah, if the fatihah is recited even in the last 2 rak'ahs of the fard prayer.)
  2. Recitation of an additional portion of the Qur'an in every rak'ah of every prayer, except for the last two rak'ahs of the fard prayers.
  3. Standing up from ruku'. This is a point often neglected by people.
  4. Sitting calmly between the 2 sajdah (prostrations), as opposed to rushing the sitting in a manner reminiscent of a pecking rooster.
- / Sitting (fortashahhud) after two rak'ah of a prayer which is more than 2 rak'ah. (The final

sitting is fard).

6. To perform the constituents of the prayer in their correct sequence. This refers only to forgetfulness, so that if a person forgot to make the second sajdah of the first rak'ah, and remembered while he was performing the sajdah of the second rak'ah, he can make up the missed sajdah. Otherwise, to perform the actions in order within a single rak'ah is fard.
7. To perform all the constituents of the Salah with tranquility and calmness, and not to rush.
8. To recite the tashahhud in the final sitting
9. To end the prayer with at least one (verbal) Tasleem.
10. To recite Du'a Qunoot in Witr.
11. To perform the additional takbeers in the Prayers of the 2 Eids.
12. To recite aloud in the first 2 rak'ahs of the the Fajr, Maghrib and 'Isba prayers, and to recite softly in all others. This is for the imam. As for the individual worshipper, it is wajib for him not to recite aloud in the Zuhr and 'Asr prayers, the last rak'ah of the Maghrib prayer, and the last 2 rak'ahs of the 'Isha prayer.
13. To perform sujood-as-sawb (Prostrations of Forgetfulness) if any of the wajibs other than #7 are omitted unintentionally.
14. Some have included among the wajibs: To pronounce takbeer before the Du'a Qunoot of Witr.

Finally, we may point out that unintentional omission of a wajib of salah does not invalidate the prayer, according to the Hanafi school. However, it is wajib to compensate it by performing sujood-as-sahw at the end of the prayer. If the sujood as-sahw is deliberately omitted, the prayer is defective and the person potentially liable to sin. Deliberate omission of any wajib has the same effect according to one of the positions of the school. (i.e. the obligation (fard) of the prayer is discharged, but the person is fasiq - liable to Divine according to one of the positions of the school. (i.e. the obligation (fard) of the prayer is discharged, but the person is fasiq - liable to Divine Punishment). Others have ventured that deliberate omission of a wajib invalidates the prayer, and this is also the view of the Hanbalis (yes, although I am no expert on the Hanbali madhhab, my understanding is that they also have a concept of wajib vs. fard in salah. Certainly, the Shafi'is and Hanbalis, in addition to the Hanafis, (I don't know about the Malikis) make the fard vs. wajib distinction in Hajj, where unintentional omission of a wajib necessitates sacrifice of an animal.)

This article has already turned out to be longer than I intended, so I will stop here without touching on the evidences as to why omission of a wajib may incur a sin, or deprive one of the Intercession of the Prophet (may Allah bless him and grant him peace).

Everything correct is from Allah. Any errors are from myself and Satan.

O Allah! Teach us that which benefits us, and benefit us by what You have taught us, O Most Merciful of the merciful!

And may Allah grant blessings and peace to our prophet, Muhammad, and to all his Household and Companions.