



THE ḤUKM OF TARK AL-ṢALĀH

BY ABŪ ḤĀZIM AL-ZĀHIRĪ

الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ، وَصَلَّى اللَّهُ عَلَى مُحَمَّدٍ خَاتَمِ
النَّبِيِّينَ وَالْمُرْسَلِينَ، وَسَلَّم تَسْلِيمًا وَنَسْأَلُ اللَّهَ تَعَالَى أَنْ
يُصْحِبَنَا الْعِصْمَةَ مِنْ كُلِّ خَطِيئَةٍ وَزَلَلٍ، وَيُوفِّقَنَا لِلصَّوَابِ
فِي كُلِّ قَوْلٍ وَعَمَلٍ. آمِينَ آمِينَ.

As for the one who deliberately abandons the obligatory prayer until its time passes, he has fallen into major sin, but he does not apostate with that. And he can never make it up. Let him perform abundant good deeds and voluntary prayers to weigh his scale heavily on the Day of Judgment. Let him repent and seek forgiveness from Allah, the Almighty.

The certain decisive evidence for our statement is the saying of Allah, the Most High: “So woe to those who pray, but are heedless of their prayer” [Al-Mā’ūn: 4-5]

And His ﷻ, saying, “But there came after them successors who neglected prayer and followed desires; so they will meet destruction” [Maryam: 59].

As for the verse, “But if they repent, establish prayer, and give *zakāh*, then they are your brothers in religion” [9:11].

The *kufṛ* of abandoning an obligatory prayer with this verse is only indicated by *dalīl al-khiṭāb*. And *dalīl al-khiṭāb* is falsehood as I clarified in my book¹.

And as for the verse, “Then if they repent, establish the prayer, and give the *zakāh*, then leave their way free” [9:5].

This indicates nothing more than that Allāh did not permit leaving the way free of anyone until they believe in Allah, repent from *kufṛ*, establish the prayer, and give the *zakāh* which is the truth, anything else is clear transgression and speaking about Allāh what He has not said and falls as well under *dalīl al-khiṭāb* which is completely invalidated in my book.

As for the one that says, “Iblīs abandoned a *sajdah*, refusing that out of stubbornness and arrogance and with that became a *kāfir*.”

This is not a *hujjah* because no one is obliged the *sharī‘ah* of Iblīs al-La‘īn, nor is a *sajdah* a prayer. I have clarified in my book

¹ The Devisive Truth Regarding the Principles of Fiqh 3/285-343

entirely that we are not obliged anything except the *sharī‘ah* of Muḥammad ﷺ which is the *sharī‘ah* of Ibrāhīm².

And ibn Ḥazm said, “Allāh, has the authority to decree disbelief upon whomever He wills for whatever reason He wills. Allah described Iblīs as a disbeliever for refusing to prostrate to Ādam ﷺ and for his statement: ‘I am better than him’. And that *sharī‘ah* is not our *sharī‘ah*, because Allah, has favored us by not ruling as *kāfir* anyone for abandoning an obligatory action except there is a specific *naṣṣ* that he disbelieves by that. A Muslim only disbelieves if they abandon *i‘tiqād* in what Islām cannot be valid except by that *i‘tiqād*. Or if they abandon a saying that Islām cannot be valid except by acknowledging it, or if they say something that removes them from Islām, or if they commit an act for which there is a text indicating that it removes one from Islām. All of this, what is stated in the Qur’ān or Sunnah of the Messenger of Allah is not allowed to be transgressed, not by alteration, addition, nor subtraction.”³

² The Decisive Truth Regarding The Principles Of Fiqh by Abu Hazim 3/70-99

³ Al-Faṣl Fī al-Milal Wal-Ahwā‘ Wal-Niḥal 4/502

As for all *Aḥādīth* which either directly indicate its *kufr* and also the narrations that do not indicate *kufr*, I will clarify all of them, by the will of Allāh.

As for the first *Ḥadīth*, it is the *Ḥadīth* attributed to the Prophet ﷺ, “The distinction between us and them is the abandonment of prayer; whoever abandons it has committed *kufr*.”

And also the words attributed to him ﷺ, “Between the servant and disbelief or faith is the prayer; if they abandon it, they have committed shirk.”

Five *Ṭuruq* narrate this⁴, all up to Al-Ḥusayn ibn Wāqid —» ‘Abdullah ibn Buraydah —» his father —» the Prophet ﷺ.

This is weak: Al-Ḥusayn ibn Wāqid is *munkar ul-ḥadīth* in general and especially his narrations of Al-Ḥusayn ibn Wāqid —» ‘Abdullah ibn Buraydah, they are *munkarah* by agreement, as in this narration. Yaḥyā is the only one that declared him *thiqah*, he is instead weak: Aḥmad affirmed *manākīr* about his narrations in many statements⁵. And Al-Sājī affirmed *wahm* for him⁶. And Ibn Ḥibbān also affirmed for him *manākīr* and mistakes⁷. And Ibn Ḥajar also affirmed *awhām* for him⁸. And Abū Dāwūd declared his *Ḥadīth* on *al-Mulaqqibah* as *Munkar*⁹. Such a narrator is not among the *mutafaqqihīn* in the religion whom Allāh obliged us to accept their warning (*Ḥadīth*).

⁴ Musnad Aḥmad 23325 | Al-Muṣannaf by ibn Abī Shaybah 3135 | Sunan of ibn Mājah 1079 | Sunan of al-Tirmidhī 2621

⁵ Al-‘Ilal Wa Ma‘rifah Al-Rijāl 444, 1420 | Mawsū‘ah Aqwāl Aḥmad Fī Rijāl al-Ḥadīth 522, 1/272

⁶ Tahdhīb al-Tahdhīb 641, 2/374

⁷ Al-Thiqāt 6/209-210

⁸ Taqrīb al-Tahdhīb 1/251

⁹ Sunan Abī Dāwūd 3818

There is another Ṭarīq narrated by al-Dāraquṭnī¹⁰ but it is also weak because of ‘Ubayd ibn ‘Ubayd al-‘Atakī, he is *matrūk*.

There is another Ṭarīq narrated by al-Lālakā‘ī¹¹, but it is also weak as al-Walīd ibn Hishām is *majhūl*. And also Muḥammad ibn al-Ḥusayn al-Fārisī is *majhūl*

This is also narrated by two other Ṭarīqān¹², both up to Yazīd ibn Abān al-Raqqāshī and they are weak as Yazīd is *matrūk*.

As for the second *Ḥadīth*, it is what is attributed to the Prophet ﷺ, “Whoever preserves it (prayer) will have it as a light, proof, and salvation on the Day of Resurrection. But whoever does not preserve it will have no light, no proof, and no salvation. On the Day of Resurrection, they will be with Qārūn, Fir‘awn, Hāmān, and Ubayy ibn Khalaf.”

This is narrated by four *Ṭuruq*¹³ all up to Abū ‘Abd al-Raḥmān ‘Abd Allāh ibn Yazīd al-Muqri’ —» Sa‘īd ibn Abī Ayyūb —» Ka‘b ibn ‘Alqamah —» ‘Īsā ibn Hilāl al-Ṣadafī —» the Prophet ﷺ.

This is weak as ‘Īsā ibn Hilāl al-Ṣadafī is *majhūl*.

As for the third *Ḥadīth*, it is what is attributed to the Prophet ﷺ, “Do not associate anything with Allah, and do not deliberately abandon the prayer. Whoever intentionally and deliberately abandons it has left the *millah*.”

And also, the words attributed to the Prophet ﷺ, “Whoever deliberately abandons an obligatory prayer, Allah’s protection is absolved from them.”

And also, the words attributed to him ﷺ, “Do not deliberately abandon prayer, for whoever deliberately abandons prayer, Allah and His Messenger (ﷺ) are absolved of them.”

¹⁰ Sunan al-Dāraquṭnī 4134, 5/160

¹¹ Sharḥ Uṣūl I‘tiqād Ahl Al-Sunnah 1521, 4/902

¹² Sunan ibn Mājah 1080 | Musnad Abū Ya‘lā 4100

¹³ Musnad Aḥmad 6575 | ‘Abd ibn Ḥumayd 353 | ibn Ḥibbān 1467

And also the words attributed to him ﷺ, “Do not associate anything with Allah, even if you are cut or burned. Do not intentionally neglect the obligatory prayers, for whoever neglects them intentionally, the protection is free from him.”

This is narrated by three Ṭuruq¹⁴ up to Rāshid ibn Najīḥ Abī Muḥammad al-Ḥamānī —» Shahr ibn Ḥawshab —» Umm al-Dardā' —» the Prophet ﷺ.

This is weak as Shahr ibn Ḥawshab has a lot of *awhām*, this is not the description of the *mutafaqqihīn* in the religion whom we are obliged to take their warning (narrations) ordered by Allāh.

It is also narrated through another route, from other than Shahr by Muḥammad ibn Naṣr¹⁵.

This is also weak because of Abū Farwah al-Rahāwī, he is Yazīd ibn Sinān ibn Yazīd, he is weak and there is not a single *tawthīq* of him.

It is also narrated through another route by Aḥmad¹⁶.

This is also weak because ‘Abd al-Raḥmān ibn Jufair ibn Nufair did not meet Mu‘ādh, there is almost one hundred and ten years between the death of Mu‘ādh and the death of ‘Abd al-Raḥmān, he is from the fourth generation and ‘Abd al-Raḥmān resided in Syria.

And ‘Amr ibn Wāqīd is also weak by agreement.

It is also narrated through another route by al-Ṭabarānī¹⁷.

This is weak as Ḥurayth ibn ‘Umar al-Ḥaḍramī is *majhūl* and also Abu Yazīd al-Qaraṭīsī.

It is also narrated by another route by al-Ṭabarānī¹⁸.

¹⁴ Sunan ibn Mājah 3371 | Al-Adab al-Mufrad 18

¹⁵ Ta‘zīm Qadr al-Ṣalāh 912, 2/855

¹⁶ Musnad Aḥmad 22075, 36/392-393

¹⁷ Al-Mu‘jam Al-Kabīr 233, 234, 20/117

¹⁸ Al-Mu‘jam Al-Kabīr 13023, 12/252

This is also weak as ‘Alī ibn Abī Ṭalḥa is weak, there is not a single *tawthīq* of him, and also Mu‘āwiyah ibn Ṣāliḥ, he is weak for his weak memory and has a lot of *gharā‘ib*¹⁹.

There is another *Ṭarīq* for this narrated by Al-Ṭabarānī²⁰. This is also weak because of ‘Amr ibn Wāqid, he is weak by agreement.

There are three other *Ṭuruq*²¹ for this narrated, all of them up to Sa‘īd ibn ‘Abd al-‘Azīz al-Tanūkhī —» Makḥūl —» Umm Ayman —» the Prophet ﷺ.

This is weak as Makḥūl did not meet Umm Ayman. She died five months after the passing of the Prophet ﷺ and she remained in Madīnah and Makḥūl passed away around one hundred and fourteen years after the *hijrah* and remained in Syria and Egypt.

As for the fourth *Ḥadīth*, it is what is attributed to the Prophet ﷺ in which he asked a person, “Are you not a Muslim?” The Person replied, “Yes, indeed.” The Prophet then said, “Then what prevented you from praying with the people?”

This is narrated from four *Ṭuruq*²², all up to Zayd ibn Aslam —» from a man of Banī al-Dīl, called Busr ibn Mihjan —» his father —» the Prophet ﷺ.

Busr ibn Mihjan is *majhūl*.

It is also narrated from another *Ṭarīq* by Al-Bayhaqī²³, this is weak because of ‘Abd al-Malik ibn Muḥammad, he is Abū Qilābah al-

¹⁹ Bayān al-Wahm Wal-Īhām 1548, 4/112 | Al-Kāmil Fī al-Ḍu‘afā’ 8/145

²⁰ Al-Mu‘jam Al-Kabīr 156, 20/82

²¹ ‘Abd ibn Ḥumayd 1595 | Musnad Aḥmad 27364, 45/357 | Shu‘ab al-Īmān 7865 Ibn ‘Asākir 17/160

²² Musnad Aḥmad 19187, 16393 | Al-Muwatta’ Riwayah Abū Muṣ‘ab al-Zuhrī 330 | Al-Muṣannaf by ‘Abd al-Razzāq 3932 | Sunan al-Kubrā of al-Bayhaqī 2/300

²³ Al-Sunan al-Kubrā 3640, 2/426

Raqqāshī, he is weak with a lot of mistakes²⁴, a narrator of such a description is discarded.

As for the fifth *Ḥadīth*, it is what is attributed to the Prophet, “There is no share in Islām for the one who has no prayer.”

This is narrated from three *Ṭuruq*²⁵, all up to Sa‘d ibn Sa‘īd ibn Abī Sa‘īd al-Maqburī —» his brother ‘Abdullāh ibn Sa‘īd —» his father —» Abū Hurayrah —» the Prophet ﷺ.

This is weak as ‘Abdullah ibn Sa‘īd al-Maqburī is weak by agreement.

As for the sixth *Ḥadīth*, it is what is narrated to the Prophet, “No īmān for the one who has no *amānah*, no *ṣalāh* for the one who has no *ṭahūrah* (purification), and no *dīn* (religion) for the one who has no *ṣalāh*. Indeed, the position of *ṣalāh* in *dīn* is like the position of the head in the body.”²⁶

All its *Ṭuruq* are up to Ḥasan ibn Ḥusayn —» Mundil ibn ‘Alī —» ‘Ubaydullāh ibn ‘Umar —» Nāfi‘ —» Ibn ‘Umar —» the Prophet ﷺ.

Al-Ḥasan ibn Al-Ḥusayn al-‘Uranī and Mindal ibn ‘Alī are weak.

There are other *Ṭuruq* for it, narrated by al-Bazzār²⁷ and others, they are all return to Abū al-Janūb (‘Uqbah ibn ‘Alqamah), who is weak.

As for the seventh *Ḥadīth*, it is what is attributed to the Prophet ﷺ, “Whoever abandons *ṣalāh* will meet Allah while He is angry with him.”

²⁴ Su’ālāt al-Ḥākim li al-Dāraqutnī 150

²⁵ Musnad al-Bazzār 8539 | Thalāthah Majālisa of al-Rudhbārī 2

²⁶ Al-Awsat of al-Ṭabarānī 2292

²⁷ Musnad al-Bazzār 819, 3/61

This is narrated²⁸ from Simāk ibn Ḥarb —» ‘Ikrimah —» ibn ‘Abbās —» the Prophet ﷺ.

This is weak as Simāk ibn Ḥarb is weak, he is described with a lot of mistakes²⁹, such are not among the *mutafaqqihīn* in the religion whom we are obliged to take from. Whoever claims that the weakness of Simāk is only his iḍṭirāb through ‘Ikrimah and that his weakness was only at the later times of his life has lied. As for the claim that his weakness only occurred in the later part of his life, this is rejected because he Shu‘bah and Sufyān were without difference the early ones to narrate from Simāk and they are the ones that described Simāk with a mufassar jarḥ, that he accepted talqīn³⁰. So their claim falls apart. As for the claim that his weakness was only iḍṭirāb through ‘Ikrimah, it is rejected because he made mistakes in completely different places, for matters not related to making isnād falsely³¹. And then he is described not only with jarḥ by iḍṭirāb but also weak memory, talqīn and many mistakes. So he must be discarded. Then how when he is here narrating from ‘Ikrimah as you can see and there is no difference in abandoning it?

As for the eighth *Ḥadīth*, it is what is attributed to the Prophet ﷺ that he said, “The pillars of Islām and the foundations of the religion are three, upon which Islām is built. Whoever abandons any one of them is a disbeliever whose blood is lawful to shed: the testimony that there is no god but Allah, the obligatory prayer, and the fasting of Ramaḍān.”

This is narrated by Abū Ya‘lā and others³².

²⁸ Al-Mu‘jam al-Kabīr 11782, 11/294 | Musnad al-Bazzār 343

²⁹ Al-Jarḥ Wal-Ta‘dīl of ibn Abī Ḥātim 4/279 | Al-Thiqāt 4/339

³⁰ Al-Kāmil fī al-Ḍu‘afā’ 4/541

³¹ Musnad Aḥmad 2977, 5/125 | Al-Jāmi‘ al-Kāmil fī al-Ḥadīth al-Ṣaḥīḥ 12/28

³² Sharḥ Uṣūl Al-I‘tiqād of al-Lālakā‘ī 1576 | Musnad Abī Ya‘lā 2349 | Al-Mu‘jam al-Kabīr 12800, 12/174

This is weak because it is all returns to ‘Amr ibn Mālik al-Nukrī he is *munkar al-ḥadīth* and described with a lot of *ghaflah*³³.

And also, Mu‘ammal ibn Ismā‘īl, he is also *munkar ul-ḥadīth*, and is described with weak memory and a lot of mistakes, such narrators must be discarded³⁴.

As for the ninth *Ḥadīth*, it is the narration attributed to the Prophet ﷺ that he said, “Be quick in performing the prayer on a cloudy day, for whoever abandons the prayer has committed *kufṛ*.”

This is narrated by ibn Ḥibbān³⁵, and is weak because of Ishāq ibn Ibrāhīm ibn al-‘Alā’ al-Ḥimṣī, he is described with a lot of *awhām*³⁶, discarded.

As for the tenth *Ḥadīth*, it is what is attributed to the Prophet ﷺ that he said, “Four things Allah has made obligatory in Islam. Whoever performs three of them, they will not benefit him in any way until he completes all of them: the prayer, the *zakāh*, fasting in Ramaḍān, and the pilgrimage to the House (*Ḥajj*).”

This is narrated by Aḥmad and others³⁷, all of them from ibn Lahī‘ah who is weak for his weak memory. And the narration is also from Ziyād ibn Nu‘aym —» the Prophet ﷺ, so it is *mursal* as you can see, Ziyād has no *Ṣuḥbah*.

As for the eleventh *Ḥadīth*, it is what is attributed to the Prophet ﷺ, “The bonds of Islam will be undone one by one. Whenever one bond is undone, the people will hold on to the next one. The first to be undone will be the ruling, and the last will be the prayer.”

³³ Al-Kāmil Fī al-Ḍu‘afā’ 6/258 | Ikṃāl Tahdhīb al-Kamāl 10/251

³⁴ Tahdhīb al-Kamāl 29/176 | Tahdhīb al-Tahdhīb 4/193 | Taqrīb al-Tahdhīb 1/987

³⁵ Ṣaḥīḥ of ibn Ḥibbān 1463

³⁶ Taqrīb al-Tahdhīb 1/99, 330

³⁷ Musnad Aḥmad 17789, 29/328

This is narrated by many³⁸, and all of them are up to ‘Abd al-‘Azīz ibn Ismā‘īl ibn ‘Abd Allāh —» Sulaymān ibn Ḥabīb —» Abū Umāmah al-Bāhilī —» the Prophet ﷺ.

‘Abd al-‘Azīz ibn Ismā‘īl ibn ‘Abd Allāh is weak, there is no *tawthīq* of him.

As for the twelfth *Ḥadīth*, it is what is attributed to the Prophet ﷺ, “Whoever deliberately abandons a prayer, Allāh nullifies his actions, and he is absolved of Allāh’s protection until he repents to Allāh.”

This is narrated by Al-Aṣḥabānī³⁹, it is weak because of ‘Amr ibn al-Ghaffār al-Fuqaymī, he is *matrūk* and Sa‘d ibn Sa‘īd al-Anṣārī is weak.

As for the thirteenth *Ḥadīth*, they are in reality two, the narration about the obligation of obedience to the *imām* until we witness *kufr bawāḥ*⁴⁰ from them and the second one is the narration of obeying the *imām* as long as he prays⁴¹.

This is not a *ḥujjah* for the *kufr* of *tark al-ṣalāh* as not everything that permits *khurūj* against the *imām* is that which is *kufr*, nor is abandonment of the prayer the only thing that allows *khurūj*, this is indicated many *nuṣūṣ*, which is not the place of discussion here.

As for the narrations that are mentioned often, from other than the Prophet ﷺ, among them is the saying of ‘Abdullāh ibn Shaqīq

³⁸ Ṣaḥīḥ ibn Ḥibbān 9/390 | Al-Ibānah al-Kubrā 1/170 | Ma‘rifah al-Ṣaḥābah 3872 | Al-Sunnah by al-Khallāl 1330 | Al-Sunnah by ‘Abdullah 764 | Musnad Aḥmad 22160, 36/485

³⁹ Al-Targhīb Wal-Tarhīb al-Aṣḥabānī 1928, 2/429

⁴⁰ Ṣaḥīḥ Muslim 1709

⁴¹ Ṣaḥīḥ Muslim 1854

al-‘Uqaylī, he said, “The companions of Muḥammad ﷺ did not consider the abandonment of any action as kufr except for *ṣalāh*.”⁴²

This is not a *ḥujjah*, it is not from the Prophet ﷺ. And ‘Abdullāh ibn Shaqīq al-‘Uqaylī who said this is a *tābi* ‘ī, not a companion. It is not known whom he claims *Ṣuḥbah* about, he only said this based on what he observed, and his saying is false without any doubt, everyone with the least amount of knowledge of *Ḥadīth* knows that the *Ṣaḥābah* declared dozens of actions as *kufr*, not only leaving the prayer.

And among the often-mentioned narrations, that are not from the Prophet ﷺ is the narration in which Mujāhid asked Jābir, “What was the distinguishing act between kufr and *īmān* among you during the time of the Messenger of Allah?” He replied, “The prayer.”

This is narrated by al-Marwazī⁴³ and ibn Baṭṭah and is weak because of ibn Ishāq mentioned, he is either Abān ibn Ishāq in which case he is *majhūl* or Muḥammad ibn Ishāq who is weak⁴⁴. And it is also not *musnad* from the Prophet ﷺ.

So the *ishkāl* is entirely resolved and all praise is for Allāh the Most Exalted. So it is established that any narration that indicates the *kufr* of the one abandoning an obligatory prayer are all weak. What only remains are only two authentic narrations, the first one is the narration about abandoning the *‘aṣr* prayer and the second is the narration, “Between a man and *shirk* and *kufr* is the abandonment (*tark*) of *Ṣalāh*.”

We will clarify these now, by the will of Allāh. So we say: Even if the description of *ṣalāh* abandonment as *Kufr* by Allah or His Messenger ﷺ would be authentic, it is not different from how Allah or His Messenger ﷺ described the following matters/actions as *Kufr*, such

⁴² Sunan al-Tirmidhī 2622, 4/366

⁴³ Ta‘zīm Qadr al-Ṣalāh 893, 2/877 | Al-Ibānah al-Kubrā 876, 2/672

⁴⁴ Al-Musnad al-Muṣannaf al-Mu‘allal 20/499, 9425

as: Killing a Muslim⁴⁵ and Living in *dār al-kufr*⁴⁶. These are some matters explicitly described as *Kufr* by the Prophet ﷺ. Except that there are additional *barāhīn* indicating that the Prophet ﷺ did not apply the ruling of *Kufr* (*riddah*) on those falling into these while they were aware and ruled them with Islām. Without such indications, it would be without doubt *Kufr*.

Likewise there are *barāhīn* regarding the abandonment of *ṣalāh* not being *Kufr* even if there would be anything that described it as *kufr*.

The Prophet ﷺ said, “There will be rulers after me who will delay the prayers outside their time, then pray your prayers on time and make your prayer with them a voluntary prayer.”⁴⁷

If abandoning prayers would be *Kufr*, it would not be valid nor allowed to pray behind *Kuffār*. It would be obligatory to rebel against them and to apply the ruling of *riddah* on them. It is obligatory to use the entire meaning of this narration, as there is no *burhān* to specify it. Anyone claiming this only refers to delaying outside its *ḍarūrī/mukhtār* time has nullified the entire meaning of the narration and specified without *burhān*.

Likewise for the addition narrated, to this *ḥadīth*, “There will come over you leaders who delay the prayer beyond its appointed time and strangle it to the choke of the dead.” If this addition would be authentic, there is not in this addition any indication for the exact amount of delay, whoever claims a limit has made a claim without certain decisive evidence, and there is not in this addition any indication that the delay is not about delaying it past its entire time.

As for the *ḥadīth* about a person’s actions being invalidated by abandoning (*tark* of) the ‘*aṣr*’ prayer, this *ḥadīth* is *Ṣaḥīḥ*⁴⁸. This narration itself which describes abandoning the ‘*aṣr*’ prayer with *kufr*, does not indicate that abandoning prayers other than ‘*aṣr*’ are *Kufr*,

⁴⁵ Ṣaḥīḥ al-Bukhārī 7076, 6044, 48: *Ṣaḥīḥ*

⁴⁶ Al-Mu‘jam al-Kabīr 3836, 4/114: *Ṣaḥīḥ*

⁴⁷ Ṣaḥīḥ Muslim 534, 648: *Ṣaḥīḥ*

⁴⁸ Ṣaḥīḥ al-Bukhārī 553

except by a *qiyās*, which is false. And abandoning ‘*aṣr*’ itself is also not *Kufr*, as clarified before that the ruling of *Kufr* does not apply to one who delays prayers outside their times, including ‘*aṣr*. So it is established that the meaning of this narration becomes by that, that his deed for that specific prayer is nullified, so he does not receive the reward of someone who prayed that in its time. So if he performs it after its time has ended, the reward for performing it within its time and its merit is lost. Without the previous decisive indications, it would have been *Kufr* to delay the ‘*aṣr*’ prayer specifically, beyond its time as the apparent meaning of ‘all deeds being invalidated’ as in that *ḥadīth* is the ruling of *Kufr*, such as when Allah said, “O you who have believed, do not raise your voices above the voice of the Prophet or be loud to him in speech like the loudness of some of you to others, lest your deeds become worthless while you perceive not.” [49:2] This act is without doubt *Kufr* in the apparent with no additional *burhān* diverting it from the apparent meaning. Allāh said, “If you do *shirk* surely your deed will be in vain.” [Az-Zumar :65] By these and other texts it is established that nothing invalidates actions/deeds except *kufṛ*.

Another *burhān* that the narrations describing the one abandoning the prayer with *Kufr* are not what takes one out of *Islām* is the authentic narration of the Prophet ﷺ, “I intended to order for the prayer to be established, then order a man to lead the people in prayer, and then set out with men carrying bundles of wood to those who do not attend the prayer and burn their houses down with fire.”⁴⁹

The intention of the Prophet ﷺ is a real threat, and the *ṣalāh* of men is invalid if it is not in congregation. If the prayer is invalid, then the prayer is abandoned, and yet the Prophet ﷺ did not rule them with *riddah*, and this is something that does not cease from happening.

And ibn Ḥazm said, “During the time of the Messenger of Allah ﷺ, there were fornicators, drinkers of *khamr*, those who neglected the obligatory prayers in congregation, murderers on purpose, and those

⁴⁹ Ṣaḥīḥ Muslim 651: Ṣaḥīḥ

who made *qadhf* of others. And he ﷺ never once named any of them as *munāfiqīn*. Instead, he established the *hudūd*, threatened to burn their houses, ordered the payment of blood money, encouraged pardon, and kept them among the *jumlah* of *mu‘minīn*, and retained for them the ruling and name of *īmān*.⁵⁰

Another *burhān* is the saying of ibn Ḥazm about the narrations describing the one abandoning the prayer with *Kufr*: “They (those narrations) are only regarding the one who abandons them with denial (of the obligation). The certain evidence for that is the authentic narration, ‘Verily Allah will take out from the fire he who says: ‘Lā Ilāha Illā Allāh,’ and did not do any good deed ever.’⁵¹ As for the one who does not pray but acknowledges the obligation, then he has not abandoned the *ṣalāh*. He has only abandoned acting upon it. In the (Arabic) language and in the legislation, ‘abandoning the *ṣalāh*’ (*tark al-ṣalāh*) applies only to one who abandons it in all aspects, by his acknowledgment and act; he is a *kāfir* without doubt in that, and Allah is the source of strength.”⁵²

And as for the authentic narration that the Prophet ﷺ said, “Between a man and *shirk* and *kufr* is the abandonment (*tark*) of *Ṣalāh*.”⁵³

This does not indicate that it is *Kufr*: If there is no barrier between two anymore, it does not imply that the two join; it only indicates closeness. And what was said before applies for this narration as well.

Regarding the sayings of the companions or the *Salaf* on this: they are not a *hujjah*.

And ibn Ḥazm said, “It has been narrated about al-Ḥasan al-Baṣrī and Qatādah that the major sinner is a *munāfiq*... We narrated likewise about ‘Umar (his *takfīr* of) one abandoning *hajj*, also ibn

⁵⁰ Al-Faṣl Fī al-Milal Wal-Ahwā‘ Wal-Niḥal 4/87

⁵¹ Musnad Aḥmad 11898, 18/394-396: *Ṣaḥīḥ*

⁵² Al-Faṣl Fī al-Milal Wal-Ahwā‘ Wal-Niḥal 4/96-97

⁵³ *Ṣaḥīḥ* Muslim 82: *Ṣaḥīḥ*

Mas'ūd, and about ibn 'Abbās (his *takfīr*) of one who abandons *zakāh*, fasting, or who kills a Muslim on purpose. Also about Abū Mūsā al-Ash'arī and 'Abdullah ibn 'Amr ibn al-Āṣ (the *takfīr* of) the one consuming *khamr*.”⁵⁴

In this manner, there are dozens, if not a hundred, other sayings of theirs declaring certain acts *Kufr*. This is while none of that is *Kufr*. So, where are those who, without *ḥayā'*, claim that such sayings of theirs must have been *marfū'*?

⁵⁴ Al-Faṣl Fī al-Milal Wal-Ahwā' Wal-Niḥal 4/67-68

وَالْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ، وَصَلَّى اللَّهُ عَلَى
سَيِّدِنَا مُحَمَّدٍ عَبْدِهِ وَرَسُولِهِ، وَسَلَامٌ تَسْلِيمًا،
وَلَا حَوْلَ وَلَا قُوَّةَ إِلَّا بِاللَّهِ الْعَلِيِّ الْعَظِيمِ