

Hukm Tareek As-Salat

(Ruling on one who abandons the prayer)

If you believe that the person who abandons prayer is not a disbeliever (kaffir) or just simply a sinner, what is your proof?

On the other hand, if you believe that the one who abandons the prayer is a disbeliever (kaffir) and his sin takes him out of the fold of islam, what is your proof? As for mine, here it goes:

Bismillahir Rahmaneer Raheem.

The Prophet (sallallahu alayhe wa sallam) has said: "The covenant which is between us and them is the prayer, and whoever abandoned it, has disbelieved (faquad kafara)." {At-Tirmidhi No. 2621, An-Nasai' No. 464, Ahmad 5:346, 355 - classed as saheeh by al-Albaani in Saheeh al-Tirmidhi.}

Allah subhana wa Ta'ala also said: "When the forbidden months (10,11,12 & 1 of the islamic calendar) are over, then fight the mushrikeen wherever you find them, sieze them, besiege them, and prepare for them each and every ambush. But if they repent, **establish salah (prayer)**, and pay Zakah (obligatory charity), then let them go their way." {Surah Tawba 9:05}

O.K, here is the link to salafipublications refutations:

<http://www.tibyan.com/publication.php?id=70>

This is extract from Part 1 of the book, page 7:

Al-Lalaka'i said, —Imam Ahmad said, "Whoever abandons the Salat has disbelieved and there is nothing other than that which, if it is abandoned, is Kufr besides the Salat. And whoever abandons it is a Kafir and Allah has made killing him Halal." (—Sharh Usul I'tiqad Ahl As-Sunnah Wa Al-Jama'ah" Vol. 1/179) And Al-Ajurri said, —Ibn Mukhallid said that Abu Dawud narrated that he heard Imam Ahmad say, "If someone says, "I am not going to pray, then he is a Kafir." (—Ash-Shari'ah", Pg. 136)

And —Ibn Hazm said, "It has come from "Umar, "Abdur-Rahman Ibn "Awf, Mu'ath Ibn Jabal, Abu Hurayrah and other companions that anyone who skips one obligatory Salah until its time has finished becomes a Murtadd (apostate). We find no difference of opinion among them on this point." (This was mentioned by Al-Munthiri in "At-Targhib Wa At-Tarhib.") Then he comments, —A group of Sahabah and those who came after them believed that an intentional decision to skip one Salah until its time is completely finished makes one a Kafir. The people of this opinion include "Umar Ibn Al-Khattab, "Abdullah Ibn Mas'ud, "Abdullah Ibn "Abbas, Mu'ath Ibn Jabal, Jabir Ibn "Abdillah and Abu Ad-Darda'. Among the non-companions who shared this view were Ibn Hanbal, Is'haq Ibn Rahuyah, "Abdullah Ibn Al-Mubarak, An-Nakh'i, Al-Hakim Ibn "Utaybah, Aba Ayyub As-Sakhtiyani, Abu Dawud At-Tayalisi, Abu Bakr Ibn Abi Shaybah, Zuhayr Ibn Harb, and others." (—Sahih At-Targhibi Wa At-Tarhib", Pg. 235)

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The Prophet (sallallahu alayhe wa sallam) also said: "Between a man and committing al-shirk (associating partners with Allaah) and al-kufr (disbelief) is abandoning the prayer." (Sahih Muslim, #82)

Brother Abu Dujanah said in his "Why have the Governments Disbelieved?":

"It is crucial for us to know, that there is a difference between the word "al-kufr", if it comes in this manner: kufr, kaafir, kufaar, kaafiroon, and if it comes in this manner: al-kufr, al-kaafir, al-kufaar and al-kaafiroon. And in this Shaykh al-Islaam Ibn Taymiyyah, rahimahullah said: "There is a difference between the kufr which is signified with the laam such as the his saying, - s -: "There is nothing between the slave, and al-kufr and al-shirk except leaving as-salah"; and between kufr which is not signified (munakar fil-ithbaat)" - See Iqtidaa as-Siraat al-Mustaqeem page 69 of al-Madani print, or page 79 of the version published by Daar al-Kutub al-'Ilmiyyah.

So if we have the word 'kufr' alone, then it could mean al-kufr al-akbar or al-kufr al-asghar, and this is only in the sunnah, as for the Qur'aan, then every type of kufr mentioned there is kufr akbar without exception."

{Reference: Under the Chapter: Necessary Introductions 5: Kufr that is signified with "al", (al-kufr), means al-kufr al-akbar." - <http://salafiyyah-jadeedah.tripod.com/Gove...Disbelieved.htm>}

The Prophet (sallallahu alayhe wa sallam) also said: "The difference between us and them is salaah. Whoever neglects it is a kaafir." (Reported by Imaam Ahmad and the authors of Sunan with a saheeh isnaad); and: "(Nothing stands) between a man and kufr and shirk, except prayer: (whoever neglects it becomes a kaafir and a mushrik)." (Reported by Imaam Muslim in his Saheeh, with other similar ahaadeeth). {<http://63.175.194.25/index.php?ln=eng&ds=q...e&QR=2182&dgn=4>}

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Question #5208: Neglecting prayer out of laziness

Question :

If you do not pray salat out of laziness on purpose, are you a kafir or just a bad Muslim? Please answer.

Answer :

Praise be to Allaah.

Imaam Ahmad said that the one who does not pray because of laziness is a kaafir. This is the more correct view and is that indicated by the evidence of the Book of Allaah and the Sunnah of His Messenger, and by the words of the Salaf and the proper understanding. (Al-Sharh al-Mumti' 'ala Zaad al-Mustanqi', 2/26).

Anyone who examines the texts of the Qur'aan and Sunnah will see that they indicate that the one who neglects the prayer is guilty of Kufr Akbar (major kufr) which puts him beyond the pale of Islam.

Among the evidence to be found in the Qur'aan is:

The aayah (interpretation of the meaning):

“But if they repent [by rejecting Shirk (polytheism) and accept Islamic Monotheism], perform As-Salaat (Iqaamat-as-Salaat) and give Zakaat, then they are your brethren in religion.” [al-Tawbah 9:11]

The evidence derived from this aayah is that Allaah defined three things that the Mushrikeen have to do in order to eliminate the differences between them us: they should repent from shirk, they should perform prayer, and they should pay zakaah. If they repent from shirk but they do not perform the prayer or pay zakaah, then they are not our brethren in faith; if they perform the prayer but do not pay zakaah, then they are not our brethren in faith. Brotherhood in religion cannot be effaced except when a person goes out of the religion completely; it cannot be effaced by fisq (immoral conduct) or lesser types of kufr.

Allaah also says (interpretation of the meaning):

“Then, there has succeeded them a posterity who have given up As-Salaat (the prayers) [i.e. made their Salaat (prayers) to be lost, either by not offering them or by not offering them perfectly or by not offering them in their proper fixed times] and have followed lusts. So they will be thrown in Hell. Except those who repent and believe (in the Oneness of Allaah and His Messenger Muhammad), and work righteousness. Such will enter Paradise and they will not be wronged in aught.” [Maryam 19:59-60]

The evidence derived from this aayah is that Allaah referred to those who neglect the prayer and follow their desires, Except those who repent and believe, which indicates that at the time when they are neglecting their prayers and following their desires, they are not believers.

The evidence of the Sunnah that proves that the one who neglects the prayer is a kaafir includes the hadeeth of the Prophet (peace and blessings of Allaah be upon him): “Between a man and shirk and kufr there stands his neglect of the prayer.” (Narrated by Muslim in Kitaab al-Eemaan from Jaabir ibn ‘Abd-Allaah from the Prophet (peace and blessings of Allaah be upon him)).

It was narrated that Buraydah ibn al-Husayb (may Allaah be pleased with him) said: “I heard the Messenger of Allaah (peace and blessings of Allaah be upon him) say: ‘The covenant that distinguishes between us and them is the prayer, and whoever neglects it has disbelieved (become a kaafir).’” (It was narrated by Ahmad, Abu Dawood, al-Tirmidhi, al-Nisaa’i and Ibn Maajah). What is meant here by kufr or disbelief is the kind of kufr which puts a person beyond the pale of Islam, because the Prophet (peace and blessings of Allaah be upon him) made prayer the dividing line between the believers and the disbelievers. It is known that the community of kufr is not the same as the community of Islam, so whoever does not fulfil this covenant must be one of the kaafireen (disbelievers).

There is also the hadeeth of ‘Afw ibn Maalik (may Allaah be pleased with him), according to which the Prophet (peace and blessings of Allaah be upon him) said: “The best of your leaders are those whom you love and who love you, who pray for you and you pray for them. The worst of your leaders are those whom you hate and who hate you, and you send curses on them and they send curses on

you.” He was asked, “O Messenger of Allaah, should we not fight them by the sword?” He said, “Not as long as they are establishing prayer amongst you.”

This hadeeth indicates that those in authority should be opposed and fought if they do not establish prayer, but it is not permissible to oppose and fight them unless they make a blatant show of kufr and we have evidence from Allaah that what they are doing is indeed kufr. ‘Ubaadah ibn al-Saamit said: “The Messenger of Allaah (peace and blessings of Allaah be upon him) called us and we gave bay’ah (oath of allegiance) to him. Among the things that we pledged to do was to listen and obey him both when we felt enthusiastic and when we were disinclined to act, both at times of difficulty and times of ease, and at times when others were given preference over us, and that we would not oppose those in authority. He said: ‘unless they made a blatant show of kufr and you have evidence from Allaah that what they are doing is indeed kufr.’” (Agreed upon). On this basis, their neglecting the prayer, for which the Prophet (peace and blessings of Allaah be upon him) said we should oppose them and fight them by the sword, constitutes an act of blatant kufr for which we have evidence from Allaah that it is indeed kufr.

If someone were to say: is it not permissible to interpret the texts about a person who neglects prayer being a kaafir as referring to the one who neglects the prayer because he does not think it is obligatory?

We would say: it is not permissible to interpret the texts in this way because there are two reservations about this interpretation:

it involves ignoring the general description that the Lawgiver took into consideration and to which the ruling was connected. The ruling that the person who neglects prayer is a kaafir is connected to the action of neglecting prayer, not to his denial of it being obligatory. Brotherhood in religion is based on performing the prayer, not on whether a person declares it to be obligatory. Allaah did not say, “If they repent and state that the prayer is obligatory”, and the Prophet (peace and blessings of Allaah be upon him) did not say “Between a man and shirk and kufr there stands his denial that the prayer is obligatory” or “The covenant that distinguishes between us and them is our statement that the prayer is obligatory, so whoever denies that it is obligatory has disbelieved.” If this is what Allaah and His Messenger had meant, then not stating it clearly would have contradicted what is said in the Qur’aan. For Allaah says (interpretation of the meaning):

“And We have sent down to you the Book (the Qur’aan) as an exposition of everything” [al-Nahl 16:89]

“And We have also sent down unto you (O Muhammad) the Dhikr [reminder and the advice (i.e. the Qur’aan)], that you may explain clearly to men what is sent down to them” [al-Nahl 16:44]

It is not correct to refer to a reason which the Lawgiver did not make a factor in ruling a person to be a kaafir, because if a person who does not have the excuse of ignorance denies that the five daily prayers are obligatory then he is deemed to be a kaafir, whether he prays or not. If a person performs the five daily prayers, fulfilling all the conditions of prayer and doing all the actions that are obligatory or mustahabb, but he denies that the prayers are obligatory with no valid reason for doing so, then he is a kaafir, even though he is not neglecting the prayers. From this it is clear that it is not correct to interpret the texts about neglecting the prayers as referring to denying that they are obligatory. The correct view is that the person who neglects the prayer is a kaafir who is beyond the

pale of Islam, as is clearly stated in the report narrated by Ibn Abi Haatim in his Sunan from ‘Ubaadah ibn al-Saamit (may Allaah be pleased with him), who said: “The Messenger of Allaah (peace and blessings of Allaah be upon him) exhorted us: ‘Do not associate anything in worship with Allaah, and do not neglect the prayer deliberately, for whoever neglects the prayer deliberately puts himself beyond the pale of Islam.’” Moreover, if we interpret the ahaadeeth about neglecting the prayer as referring to a denial that it is obligatory, there would be no point in the reports referring specifically to the prayer, because this ruling applies equally to zakaah, fasting and Hajj – whoever neglects any of these, denying that it is obligatory, is a kaafir, if he does not have the excuse of ignorance.

Just as the one who neglects the prayer is deemed to be a kaafir on the basis of the evidence of the texts and reports, so he may also be deemed to be a kaafir on the basis of rational analysis. How can a person be a believer if he neglects the prayer which is the pillar of religion, and when there are aayaat and ahaadeeth urging us to perform prayer which make the wise believer rush to do the prayer, and when there are aayaat and ahaadeeth warning against neglecting it, which make the wise believer scared to ignore the prayer? Once we have understood this, a person cannot be a believer if he neglects the prayer.

If a person were to say: can we not interpret kufr in the case of one who neglects the prayer as meaning a lesser form of kufr (kufr al-na’mah) rather than the kind of kufr which puts a person beyond the pale of Islam (kufr al-millah)? Or can we not interpret it as being less than Kufr Akbar (major kufr) and more like the kufr referred to in the ahaadeeth, “There are two qualities that exist among people which are qualities of kufr: slandering people’s lineage and wailing over the dead” and “Trading insults with a Muslim is fisq (immoral conduct) and exchanging blows with him is kufr”, etc.?

We would say that this interpretation is not correct for a number of reasons:

The Prophet (peace and blessings of Allaah be upon him) made prayer the dividing line between kufr and faith, between the believer and the disbeliever. This is where he drew the line, and the two things are quite distinct and do not overlap.

Prayer is one of the pillars of Islam, so when the person who neglects it is described as a kaafir, this implies the kind of kufr that puts a person beyond the pale of Islam, because he has destroyed one of the pillars of Islam. This is a different matter from attributing kufr to a person who does one of the actions of kufr.

There are other texts which indicate that the kufr of the one who neglects the prayer is the kind of kufr which puts a person beyond the pale of Islam, so what is meant here by kufr should be interpreted according to the apparent meaning, so as avoid contradictions between the texts.

The description of kufr in those ahaadeeth is different. Concerning neglecting the prayer, the Prophet (peace and blessings of Allaah be upon him) said: “Between a man and shirk and kufr.” Here the word kufr is preceded in the original Arabic by the definite article “al”, which indicates that what is referred to here is the reality of kufr. This is in contrast to the other ahaadeeth where kufr is referred to without the definite article, or in a verbal form, which indicates that this is a part of kufr or that the person has disbelieved by doing this action, but it is not the absolute kufr which places a person beyond the pale of Islam.

Shaykh al-Islam Ibn Taymiyah said in his book *Iqtidaa' al-Siraat al-Mustaqeem* (p. 70, Al-Sunnah Al-Muhammadiyah edn.), concerning the hadeeth of the Messenger (peace and blessings of Allaah be upon him) ““There are two qualities that exist among people which are qualities of kufr”:

“The phrase ‘which are qualities of kufr’ means that these two qualities which exist among people are qualities of kufr because they are among the deeds of kufr and they exist among people. But not everyone who has a part of kufr becomes a kaafir because of it, unless there exists in his heart the reality of kufr. Similarly, not everyone who has a part of faith becomes a believer because of it, unless there exists in his heart the essential reality of faith. So there is a distinction between kufr that is preceded [in the original Arabic] by the definite article ‘al’, as in the hadeeth ‘Between a man and shirk and kufr there stands nothing but his neglecting the prayer’, and kufr that is not preceded by the definite article but is used in an affirmative sense.”

So it is clear that the person who neglects the prayer with no excuse is a kaafir who is beyond the pale of Islam, on the basis of this evidence. This is the correct view according to Imaam Ahmad, and it is one of the two opinions narrated from al-Shaafa’i, as was mentioned by Ibn Katheer in his tafseer of the aayah (interpretation of the meaning):

“Then, there has succeeded them a posterity who have given up As-Salaat (the prayers) [i.e. made their Salaat (prayers) to be lost, either by not offering them or by not offering them perfectly or by not offering them in their proper fixed times] and have followed lusts” [Maryam 19:59]

Ibn al-Qayyim mentioned in his book *Al-Salaah* that it was one of the two views narrated from al-Shaafa’i, and that al-Tahhaawi narrated it from al-Shaafa’i himself.

This was also the view of the majority of the Sahaabah, indeed many narrated that there was consensus among the Sahaabah on this point. ‘Abd-Allaah ibn Shaqeeq said: the companions of the Prophet (peace and blessings of Allaah be upon him) did not think that neglecting any deed made a person a kaafir, apart from neglecting the prayer. This was reported by al-Tirmidhi and al-Haakim, who classed it as saheeh according to the conditions of (al-Bukhaari and Muslim). Ishaq ibn Raahawayh, the well known imaam, said, It was reported with a saheeh isnaad from the Prophet (peace and blessings of Allaah be upon him) that the one who neglects the prayer is a kaafir. This was also the view of the scholars from the time of the Prophet (peace and blessings of Allaah be upon him) until the present day: that the person who deliberately neglects the prayer with no valid excuse, until the time for that prayer is over, is a kaafir. Ibn Hazm said that it was reported from ‘Umar, ‘Abd al-Rahmaan ibn ‘Awf, Mu’aadh ibn Jabal, Abu Hurayrah and others among the Sahaabah. He said: “We do not know of any opposing view among the Sahaabah.” Al-Mundhiri narrated this from him in *Al-Targheeb wa’l-Tarheeb*, and added more names of Sahaabah: ‘Abd-Allaah ibn Mas’ood, ‘Abd-Allaah ibn ‘Abbaas, Jaabir ibn ‘Abd-Allaah and Abu’l-Dardaa’ – may Allaah be pleased with them. He said: apart from the Sahaabah, there are also Ahmad ibn Hanbal, Ishaq ibn Raahawayh, ‘Abd-Allaah ibn al-Mubaarak, al-Nakha’i, al-Hakam ibn ‘Utaybah, Ayyoob al-Sakhtayaani, Abu Daawood al-Tayaalisi, Abu Bakr ibn Abi Shaybah, Zuhayr ibn Harb and others.

And Allaah knows best.

Reference: Risaalah fi Hukm Taarik al-Salaah (Paper on the ruling on one who neglects the prayer) by Shaykh Muhammad ibn Saalih al-‘Uthaymeen. (www.islam-qa.com - Question #5208: Neglecting prayer out of laziness)

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Now, what is the ruling of executing the person who does not pray?

Question #6035: How can a person still be Muslim if he reaches the point of being executed and still insists on not praying?

Question :

Dear Shaykh May Allaah increase you in good, the issue of the hukm on the one abandoning the salah has differences of opinions amongst the people of truth. After reading your fatawa and knowing the opinions of the salaf like the well known view of Imaam Ahmad (ra), what seems to be the truth based upon evidences is that abandoning the salah is Kufr which takes one outside the fold of Islaam. However in the opposing argument there is something I do not understand, Imaaam Shafiee and Imaam Malik (ra) and others said, 'To be killed but not kaafir', so he would be buried amongst the muslims. But if a person had to be killed for abandoning the salah having been given chance to repent how can he still be a muslim? He has preferred death over praying so by necessity must be a Kaafir. Please explain.

JazakAllaahu Khairan

Answer :

Praise be to Allaah.

This is a very good question, but those who say that such a person is not a kaafir do not have a good answer. Shaykh al-Islam ibn Taymiyah (may Allaah have mercy on him) noted that this confusion arose among the later fuqahaa', because this was not known among the Sahaabah, may Allaah have mercy on them. As the questioner says, it is not possible that a person who is threatened with execution for not praying would choose death over prayer if there was even an atom's weight of Islam in his heart. This confusion does not arise if we say that the one who does not pray is a kaafir. If we read what Shaykh al-Islam Ibn Taymiyah said about this matter, this will dispel any confusion.

He (may Allaah have mercy on him) said:

In the case of one who believes that prayer is obligatory yet still persists in not praying, the fuqahaa' who have studied the matter in detail mentioned a number of points:

The first of them is this point, which was stated by the majority of them, Maalik, Al-Shaafa'i and Ahmad: if a person persists until he is killed, is he killed as a kaafir and an apostate, or as a sinful Muslim like other sinful Muslims, as stated in the two well-known views reported from Ahmad? Such detailed discussion was not reported from the Sahaabah, and is excessive and futile.

If the person believes in his heart that prayer is obligatory, this will not allow him to persist in not doing it until he is executed. Such a thing is not known among the sons of Adam, and has never happened in Islam. It is unheard of for a person to believe that it is obligatory and to be told, "If you do not pray we will execute you" and then to persist in not doing it even though he believes it is

obligatory. This has never happened in Islam.

When a person refrains from praying until he is executed, he does not really believe in his heart that it is obligatory and was not doing it, so he is a kaafir, according to the consensus of the Muslims, as it was stated in many reports that the Sahaabah would consider such a person to be a kaafir. This is also indicated by the saheeh texts, such as the ahadeeth of the Prophet (peace and blessings of Allaah be upon him):

“Nothing stands between a person and Kufr except his giving up prayer” (narrated by Muslim).

“The covenant that separates us from them is prayer, and whoever gives up prayer has become a kaafir.”

‘Abd-Allaah ibn Shaqeeq said: “The companions of Muhammad did not think that giving up any deed would make a person a kaafir – apart from giving up prayer.”

Whoever persists in not praying and never prostrated to Allaah at all until he dies, can never be a Muslim who believes that prayer is obligatory. Believing that it is obligatory and that the person who does not do it deserves to be executed is sufficient motive to make a person do it, for if a person has the motive and ability to do something, it should be done. If he is able to do it but he never does it, this indicates that the motive is not present in his case.

(Majmoo’ al-Fataawa, 22/47-49)

Please also refer to Question #2182

And Allaah knows best.

Islam Q&A

Sheikh Muhammed Salih Al-Munajjid (www.islam-qa.com - Question #6035: How can a person still be Muslim if he reaches the point of being executed and still insists on not praying?)

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