

Summary of the NMN Debate on “Permissibility of Observing more than 11/13 Rakahs in Taraweeh/Qiyamu'llayl Prayer”

In The Name of Allah, The most Beneficent, The most Merciful; may the Peace and Blessings of Allah be showered upon the noble soul of our dear Prophet Muhammad (salla'llaahu 'alayhi wasallam), his household, his companions, and all the Muslims that follow their righteous path till the Last Day.

This report contains submissions from key contributors on the above titled debate, which commenced on 28th Ramadan (August 6) and finally came to a close on 10th Shawwal, 1434 (17th August, 2013). The debate was well researched as evidenced from various relevant references cited, and decorum was maintained by the participants in the course of the exercise. A number of beneficial materials on the subject were made available in the process. The reporter tried his utmost best to do justice to the reporting despite his limited knowledge of fiqh. Therefore, any omissions and/or commissions observed in this report are inadvertently committed, and are hereby regretted.

Bro. Abdus-Sami' Abdus-Salaam who opened up the debate opined that it is permissible to observe any number of rakah in Taraweeh prayer even though the Prophet (SAW) used to pray 11 or 13 rakahs. He cited the report that 'Umar ibn al-Khattaab ordered that Taraweeh prayer be twenty rakahs as related by four of the Taabi'een: Saa'ib ibn Yazeed, Yazeed ibn Rumaan, Yahya ibn Sa'eed al-Qattaan and 'Abd al-'Azeed ibn Rafee'. Other NMNers who shared this view in the debate included Dr. Kamorudeen Abidogun, Abu Abdullah and Mallam Monsur AbdulRauf. On the opposing side were mainly Malam Ibrahim Abdur-Rauf Abu Nasir and Dr. Ahmad Bello Dogarawa.

Dr. Abidogun was of the opinion that a text found on islamqa website is enough to settle the matter. He said the Prophet (SAW) did not fix the number of rakaahs for Taraweeh/night prayer based on available evidences. He challenged the opposing side to produce any authentic hadith where the Prophet (SAW) was reported to have precisely limited the number of rakaahs to 11/13. In his reaction, Abu Nasir said the narrations upon which the proponents of more rakah were standing are all weak though he did not provide any authentic hadith as requested.

Abu Abdullah supplied the full text of the hadeeth quoted by Sheik Al-Jaabiree to support the permissibility to increase the number of rakahs despite that the Prophet (SAW) used to pray 11 or 13, as follows:

Narrated Nafi`: Ibn `Umar said, "While the Prophet (SAW) was on the pulpit, a

man asked him how to offer the night prayers. He replied, 'Pray two rakahs at a time and then two and then two and so on, and if you are afraid of the dawn (the approach of the time of the Fajr prayer) pray one rakah and that will be the witr for all the rakahs which you have offered.' Ibn `Umar said, "The last rakahs of the night prayer should be odd, for the Prophet (SAW) ordered it to be so."

The above quoted hadith was confirmed authentic by Dr. Ahmad Bello Dogarawa. He however, classified it as "mutlaq/itlaaq", unrestricted. According to him, the hadith of A'ishah (ra) on the other hand, is "muqayyad", meaning restricted. He said generally speaking, the latter takes precedence over the former as indicated by Ibn Khuzaimah, Ibn Hibbaan, Ibnus Salah, Ibn Hajar, Suyutiy and many others who discussed extensively on the rules of 'tarjih'. This means that the hadith is talking about one of the methods of observing night prayer is in twos subject to the maximum of 10/12 raka'at then followed by 'witr'. He went further to state that most of the leading contemporary scholars, such as Shaikhs Al-Uthaymeen and Muhammad Umar Bazmool, who opined that the number may exceed 11/13 also affirmed that observing 11/13 rakahs is the best since that is what the Prophet (SAW) practised precisely.

Dr. Dogarawa further added that the subject was too simple to take much of time discussing it. He said the 'khilaaf' (divergence of opinions) among scholars on the issue is well known to many on the forum. He added that while A'isha's narration satisfies the rule of 'qat'iyuth thubuut', to some scholars, it does not satisfy the rule of 'qat'iyud delaalah'. He however remarked that it is unfortunate that disagreement on issues such as this has led to 'al-walaa wal baraa' among brothers including students of knowledge, particularly in the Northern Nigeria and some parts of Ghana.

While Abu Abdullah supported the stand; he however, cautioned that it is probably preferable to mention that it is the better position rather than referring to other position as innovation. He observed that scholars like Sheik ibn taymiyah, Shaik Uthaymeen, Shaik Al-jabiree and so on that permit increasing the rakahs in excess of 11/13 were equally not unaware of the basic rule of fiqh. Mallam Ibrahim Abdur-Rauf agreed to this but said their position is not the sunnah of the Prophet (SAW).

Quoting Shaykhul-Islam Ibn Taymiyah from Saheeh Fiqh as-Sunnah, by Aboo Maalik (vol. 1, p. 419), Bro. Abdus-Sami' Abdus-Salaam pointed out the rationale behind increasing the number of rakahs beyond 11/13. He

maintained that the number of rakah is dependent on the ability of the worshippers in question. He added if they can bear standing for long, such as performed by the Prophet (SAW), then performing ten rak'ah and three afterwards is better. However, should they not be able to bear standing for a long time, observing twenty rakahs is better and this is the practice of majority of the Muslims. He described this as the middle course between ten and forty, though he said observing forty or any other number of rak'ah is still permissible. He added that this view was supported by the Imams like Ahmad and others.

Dr. Abidogun shared Dr. Dogarawa's view that the issue was too simple to consume so much time particularly at the present age of information technology. He thereafter maintained in plain terms that though the Prophet (SAW) was observed to pray certain number of rakaahs, he however explained that qiyamu'llayl is in twos and 'if you fear the approach of the dawn, pray witr'. This statement shows that qiyamu'llayl could be any number of rakahs, as the Prophet (SAW) had described the manner to observe it. He agreed like Dr. Dogarawa, that since our past and present scholars hold differing opinions on the issue, we need to keep it at that.

Abu Nasir stressed further that the narration from Aisha (ra) was to emphasise the number and manner the Prophet (SAW) used to observe qiyamu'llayl. He maintained that the reports of 20 units of qiyamu'llayl ascribed to Umar and other companions are all weak.

Breaking his silence all the while, Malam Monsur AbdulRauf who thought that the statement attributed to Sheikhul-Islam Ibn Taymiyyah (rahimahullaah) as shared by Mallam Abdus-Sami is apt enough to calm both parties down. He emphasised that there is no denying the fact that the issue is one in which scholars have differed greatly, as earlier said. He expressed his displeasure over some arguments on NMN forum sometimes, which ignore the fact that both usoolis and muhaddithoon among the scholars differed on certain matters such as this. He maintained that this happens despite their knowledge of the relevant ahaadeeth on the subject as well as the qawaaid (principles) of usool.

He argued further, in contrast to Dr. Dogarawa's view, that the hadeeth of our mother Aishah, ibn Abbaas, etc, (radiyallaahu anhum) does not really have to be considered 'muqayyad' (restrictive), to reconcile it with the other narrations. He pointed that the hadeeth of Amroo Ibn 'Absah Assulamee (radiyallaah anhu) is too explicitly supportive of the position that no number has been prescribed

by the Prophet (SAW) when he said "pray as much as you wish, but when the dawn approaches ..." according to the report in Aboo Dawud. He argued that if the number of rakah is crucial such that differing from 11 or 13 could be tantamount to bid'ah or at least abandoning a Sunnah, the Prophet (SAW) could have mentioned it to him when the noble companion went to him (sallallaahu 'alayhi wasalam) to ask for his guidance about the subject.

Contrary to Mallam Ibrahim's claim, he said that not all the ahaadeeth on 20 raka'at are weak; some of them are unanimously agreed upon by the scholars of hadeeth. According to him, that fact makes them to be considered authentic. He argued that even those that are considered weak are admissible as appendage evidences based on other conditions as mentioned in the link <http://islamqa.info/en/ref/82152>. He cited the narration from Ibn Hajar Al Asqalani (ra) who related from Imam Rafi (ra) that: The Prophet (SAW) prayed 20 Rakats in Taraweeh on two consecutive nights with a congregation in Ramadhan. On the third night many more people gathered (for a congregation) but the Prophet (SAW) did not appear before them. In the morning the Prophet (SAW) stated: 'It occurred to me that this prayer (20 Rakats in Ramadhan) could become compulsory (fard) upon you, and you would not be able to bear it.' 'There is agreement upon the authenticity of this narration according to Talkeesul Habeer fee Takhreej Ahadeeth Rafi ul Kabeer vol 1, p119.

Supporting his stand, Malam Monsur AbdulRauf said it is proven that Ubayy ibn Ka'b used to lead the people in praying twenty rak'ahs in qiyaam in Ramadaan, and he used to pray Witr with three rak'ahs. He claimed that many scholars think that this is the Sunnah because he established it among the Muhaajireen and Ansaar and no one objected to that. Others regarded it as 'mustahabb' to pray thirty-nine rak'ahs, based on the fact that this was the practice of the people of Madeenah in the past.

Deductions from the Debate

1. It was apparent in the debate that scholars differ greatly on the subject matter.
2. Both sides agreed that the sunnah is to observe 11/13 rakahs in the night prayer based on the action of the Prophet (SAW) as reported by Aisha (ra) and other authentic ahadith.
3. Both sides agreed that the narration of the above hadith was authentic but differed on its status – restrictive or otherwise.

4. Notwithstanding point (2) above, both sides agreed that there is no limit to the number of rakahs to observe in the qiyamullayl prayer based on the description of the prayer to a companion by the Prophet (SAW).
5. The position in (4) above is supported by a number of reports. The parties however disagreed on the authenticity of the reports according to the 'isnad', chain of narrators.
6. It was agreed by both sides that the four Imaams – Abu Haneefah, Maalik, Ash-Shaafi'ee and Ahmad Ibn Hambal as well as the majority of others from among the tabi'een and later scholars such as Ibn Taymiyyah, An-Nawawee, Ibn Abdul-Barr, etc, concede to more than 11/13 rakahs despite their knowledge of the hadith narrated by Aisha (ra).
7. To reconcile the hadith of 'Aisha (ra) where the Prophet (SAW) was observed to never exceed 11/13 rakaahs, with that of ibn 'Umar (ra) where the Prophet (SAW) described that night prayer is observed in twos plus witr; both ahadith of which both sides agreed to be saheeh, it can therefore logically be concluded that there is no limit to the numbers of rakaahs in night prayers.

Conclusion

It could be succinctly summarised that 11/13 rakahs was the practice of the Prophet (SAW) during his life time. To follow this practice *in to-to*, it is required to make the rakahs lengthy. However, it is equally perfectly valid to pray any odd number rakahs in qiyamu'llayl for he who cannot bear long standing in the prayer. This view is supported by the majority of the scholars – past and present.

Having said this, it pertinent to add that there is a need for the forum to know the appropriate time to bring a debate to a halt, especially when it becomes apparent that scholars differ on the subject matter. It means that one is free to choose either of the options since each is right. Therefore, further arguments afterwards may be unnecessary as it could easily result in tautology which may kill some other members' interest in the matter.

Mudathir Akorede, PhD
Chairman, RPC
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